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LAWS AND ORDINANCES

GOVERNING THE

CITY OF ROCK ISLAND

IN THE

STATE OF ILLINOIS

REVISED AND EDITED BY
J. F. WITTER, CITY ATTORNEY

Compiled and arranged under the supervision of the Ordinance Committee of the City Council, consisting of Aldermen
Henry J. Frick, Chairman, August J. Utke
and S. A. LaVanway

PRINTED AND PUBLISHED BY AUTHORITY OF THE CITY COUNCIL OF
THE CITY OF ROCK ISLAND, ILLINOIS



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PREFATORY

I.

HISTORICAL NOTE ON THE ORGANIZATION OF THE CITY.

The County of Rock Island was formed from Jo Daviess County, by an act of the legislature, approved and of force February 9, 1831, (laws 1831, p. 52) which, after fixing the boundaries and giving name to the county, provided for the election of certain county officers named, whenever it should be made to appear that the county contained three hundred and fifty inhabitants; and that after such election the said County of Rock Island should be considered as organized and entitled to the same rights and privileges as other counties in this state. That the county commissioners, when elected, should proceed at their first term to fix upon the temporary seat of justice for said county, and provide a place for holding the circuit and county commissioners' courts therein, until a permanent seat of justice should be established by law. No organization having been made under this law, the county remained attached to the County of Jo Daviess for all judicial and other county purposes.

On the first day of March, 1833, a further act was passed (laws 1833, p. 17) whereby three persons were named and appointed commissioners, whose duty it should be to locate a permanent seat of justice for Rock Island County; and when selected and located to be called "Stephenson," in commemoration of Col. Benjamin Stephenson. Also by said act, the citizens of said Rock Island County were authorized on the first Monday of July, one thousand eight hundred and thirty-three, to elect three county commissioners, one sheriff, three justices of the peace, to reside in separate districts, three constables and one coroner, who, when qualified according to law, should hold their respective offices until the next general election in the state for the election of county officers. In pursuance of the last named provisions of this law, an election for the county officers therein named was held on the fifth of July, 1833, at the house of John Barrell, in Farnhamsburg, (near the point where the south end of the south railroad bridge is now located) at which election sixty-five votes were cast, and the said officers duly elected. On the third day after said election, the county commissioners who had been elected, met at the same place and organized. The commissioners named in the law to locate the county seat, having failed to meet or take any action under their appointment, the county commissioners' court ordered that until such location should be made, elections and courts be held at the house of John Barrell, in Farnhams-

n/12/48 Humphrey

g. Albert Ray

11 & 48

burg, which was thereafter known as the court house. At the next session of the legislature a further act was passed and approved, February 12, 1835, (laws 1835, p. 159) "to establish the county seat of Rock Island County;" and appointing commissioners to locate the same, and "make report thereof to the county commissioners' court of Rock Island County, who, at the next term should cause the same to be entered upon the records of said court; and the said place so selected, should be and remain the permanent seat of justice of the aforesaid county."

The commissioners appointed under this law, having performed the duties thereby required of them, on the eighth day of June, 1835, made their report to the county commissioners' court, that they had selected the northwest fractional quarter of section number thirty-five, in township number eighteen, north of range two, west of the fourth principal meridian, and did fix upon the same as the permanent seat of justice of the County of Rock Island, aforesaid. Which report was on the same day entered of record in said court; and thereby locating and establishing alike the town of Stephenson and the county seat of Rock Island County. The land selected for the location of the town was subsequently entered by the county commissioners, George Davenport, John W. Spencer and John Vanatta. By order of the county commissioners' court, in November, 1835, the records and courts of the county were removed from Farnhamsburg to Stephenson. The town became incorporated under an election held October 21, 1837, thirty-five votes being cast in favor and ten votes against incorporation, and on the 28th day of that month the first election of trustees was held. By an act of February 27, 1841 (laws 1841, p. 348), the name of the town of Stephenson, including all the additions thereto, was changed to that of Rock Island, and under that name incorporated. It was invested with a city charter by "An act to charter the City of Rock Island." Approved, February 12, 1849 (priv. laws 1849, p. 18). Several acts amendatory thereof were passed, from time to time until February 16, 1857, when another and more comprehensive charter was provided for it (priv. laws 1857, p. 939), under which it operated until November 4, 1879, when, by an election held for that purpose, the incorporation was changed to an organization under the general laws of the state for the incorporation of cities. At a meeting of the City Council held November 10, 1879, a canvass of the votes was made, showing as the result 773 votes in favor of and 155 votes against incorporation under the general law, an entry whereof was made upon the records of the City Council of that date, and on the tenth day of December following was certified to and recorded in the recorders office of the county pursuant to the requirements of the law in such cases.

PUBLICATION OF ORDINANCES

An Ordinance in regard to the publication of the laws and ordinances covering the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That the laws and ordinances governing the City of Rock Island, compiled and arranged by order of the City Council, under the supervision of a special committee on ordinances, with the aid of the City Attorney, and comprising the ordinance passed August 18, A. D. 1910, for revising and consolidating the general ordinances and all ordinances unrepealed my chapter No. 63 thereof, and this ordinance be and the same are hereby ordered printed and published in a bound volume to be entitled, "Laws and Ordinances Governing the City of Rock Island, in the State of Illinois;" that there be prefixed to said publication an historical note on the organization of the city, a list of city officers from the incorporation of the city to the present time, the rules and order of business of the City Council of said city, and a brief summary of the state laws governing cities and villages, and that the whole be properly indexed.

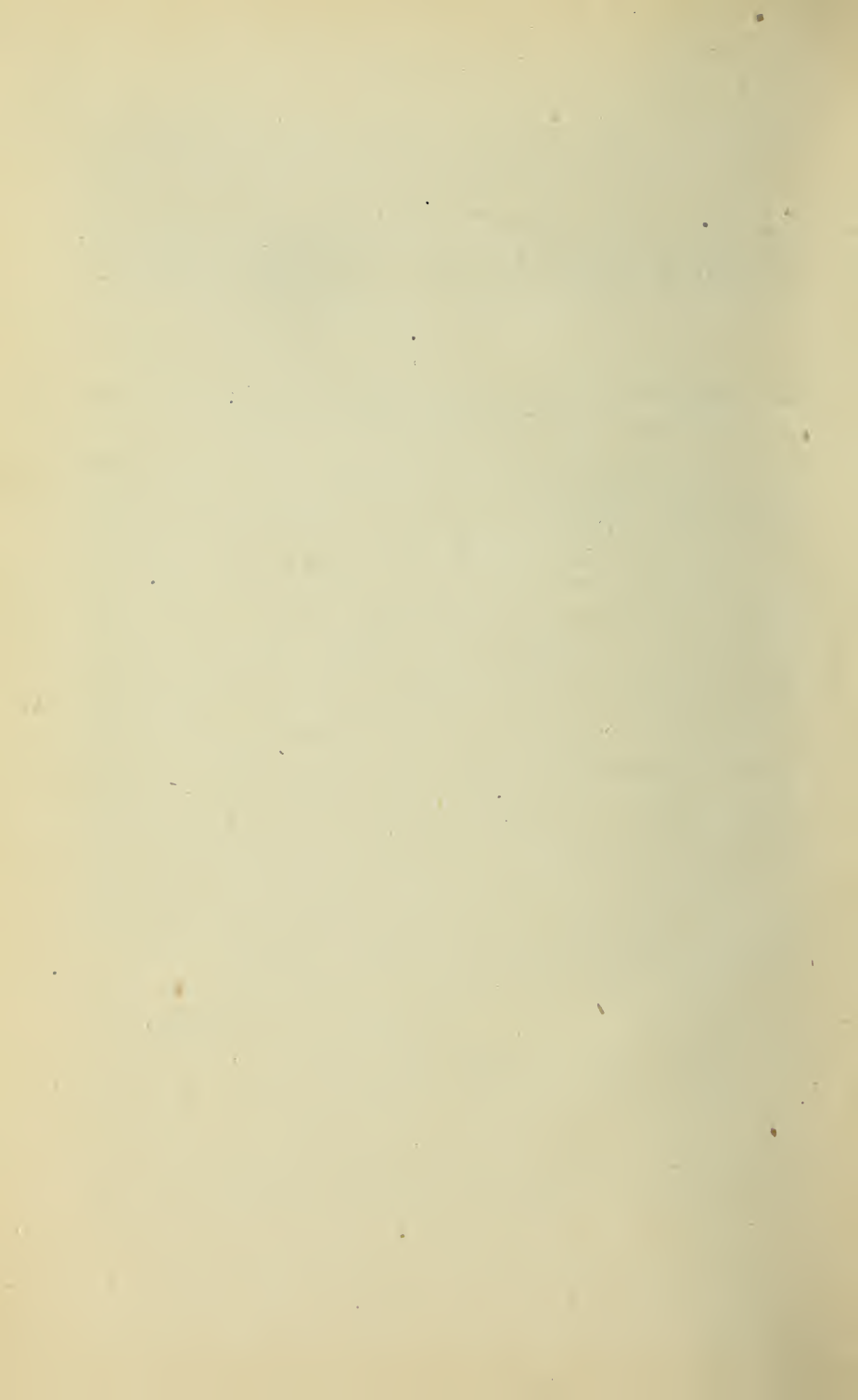
Passed August 18, 1910.

Approved: /

GEORGE W. MCCASKRIN,

Mayor.

Attest: M. T. RUDGREN, *City Clerk.*



City Officials at Time of Revision of Ordinances

MAYORGEORGE W. McCASKRIN
City Clerk and Collector.....M. T. Rudgren
City AttorneyJ. F. Witter
City TreasurerC. F. Channon

CITY COUNCIL.

FIRST WARD—

John Holzhammer.
Arthur O. Huff.

SECOND WARD—

August J. Utke.
Carl A. Naab.

THIRD WARD—

S. A. La Vanway.
J. C. Simser.

FOURTH WARD—

Henry J. Frick.
Chas. L. Thompson.

FIFTH WARD—

Wm. Cochran.
Geo. L. Schmid.

SIXTH WARD—

Martin McNealy.
J. T. Stephens.

SEVENTH WARD—

Chas. Borst.
John G. Leaf.

Superintendent of Water Works.....D. C. Kelly
Superintendent of StreetsH. H. Hull
Commissioner of Health.....Dr. A. N. Mueller
Health OfficerFrank Westbay
City EngineerWallace Treichler
Plumbing InspectorThomas Rosenfield
Bridge Toll Collector.....John Williams
Overseer of PoorJ. H. Lidders
City WeighmasterW. B. Pettit
City ScavengerFlem Bassett

POLICE DEPARTMENT.

Acting City Marshal.....Geo. W. McCaskrin
Police MagistrateC. J. Smith
Police Matron.....Miss Dina Ramser

PARK COMMISSIONERS.

E. B. McKown.
Otto Huber.

W. H. Dart.
F. C. Denkmann
C. F. Gaetjer, Superintendent.

PLUMBING EXAMINERS.

Col. W. T. Channon. Dr. A. N. Mueller.
Thomas Rosenfield.

BOARD OF HEALTH.

George W. McCaskrin.	Dr. F. H. First.
Dr. W. H. Ludewig.	Dr. J. R. Hollowbush.
Dr. M. J. O'Hern.	Dr. A. N. Mueller.

II.

LIST OF CITY OFFICERS FROM INCORPORATION OF CITY

FIRST CHARTER OF CITY APPROVED FEBRUARY 12, 1849

1849—1850.

MAYOR BENJAMIN F. BARRETT
Alderman 1st Ward James G. Bolmer, David B. Rice
Alderman 2d Ward John M. Waugh, Philip Zahn
Alderman 3d Ward James R. Hadsell, Charles B. Knox
Clerk Robert Wilkinson
Treasurer James G. Bolmer
Marshal Wm. T. Norris
Attorney Reynolds & Bean

1850—1851.

MAYOR JOSHUA H. HATCH
Alderman 1st Ward William Fletcher, E. P. Haskins
Alderman 2d Ward Philip Zahn, Jacob Sailor
Alderman 3d Ward James R. Hadsell, William Bell
Clerk Robert Wilkinson
Treasurer Wm. Bell
Marshal B. J. Cobb
Attorney Ira O. Wilkinson

1851—1852.

MAYOR PATRICK A. WHITAKER
Alderman 1st Ward James G. Bolmer, Henry A. Porter
Alderman 2d Ward Amos F. Cutter, Jacob Sailor
Alderman 3d Ward William Bell, Lowell Butterick
Clerk R. Wilkinson
Treasurer William Bell
Marshal B. J. Cobb
Attorney Knox & Drury

1852—1853.

MAYOR	WILLIAM FRIZZELL
Alderman 1st Ward	Benj. D. Walsh, John R. Daly
Alderman 2d Ward ...	*Robert Graham, J. B. Danforth, Jr.
Alderman 3d Ward	†Lewis M. Webber, James Boyle
Alderman 3d Ward	Cornelius Lynde, Sr.
Clerk	Fred S. Nichols
Treasurer	L. M. Webber
Marshal	Jos. Johnston
Attorney	Knox & Drury

*Resigned April 19, 1853, and Lewis M. Webber elected May 11, 1853, to fill vacancy.

†Removed from the Ward, in spring of 1853, and Cornelius Lynde, Sr., elected to fill vacancy.

1853—1854.

MAYOR	WILLIAM FRIZZELL
Alderman 1st Ward	David B. Rice, William Shearer
Alderman 2d Ward	Lewis M. Webber, William Kale
Alderman 3d Ward	James Boyle, George Walter
Clerk	Quincy McNeil
Treasurer	L. M. Webber
Marshal	Jos. Johnston
Attorney	Knox & Drury

1854—1855.

MAYOR	BEN HARPER
Alderman 1st Ward	John L. Bean, John W. Vansant
Alderman 2d Ward	William Kale, Peter S. Albert
Alderman 3d Ward	James Copp, Jeremiah S. Smith
Clerk	C. Lynde, Jr.
Treasurer	William Kale
Marshal	Jos. Johnston
Attorney	

1855—1856.

MAYOR	BENJAMIN F. BARRETT
Alderman 1st Ward	John L. Bean, Hy. C. Henderson
Alderman 2d Ward	Peter S. Albert, Benj. J. Cobb

Alderman 3d Ward	James Copp, Jeremiah S. Smith
Clerk	E. W. Swann
Treasurer	C. Lynde, Jr.
Marshal	J. B. Webster
Attorney	Knox & Wilkinson

Amended city charter Approved Feb. 16, 1857.

1856—1857.

MAYOR	WILLIAM BAILEY
Alderman 1st Ward	Alexander Steel, John L. Bean
Alderman 2d Ward	Bert Loewenthal, Benj. J. Cobb
Alderman 3d Ward	Jeremiah S. Smith, William Bell
Clerk	R. T. Shaw
Treasurer	Milo Lee
Marshal	Jacob Starr
Attorney	Marshall & Ball

1857—1858.

MAYOR	PATRICK GREGG
Alderman 1st Ward	Thomas J. Buford, Quincy McNeil
Alderman 2d Ward	Calvin Truesdale, Jacob Norris
Alderman 3d Ward	Jos. A. Biddison, Cornelius Lynde, Jr.
Alderman 4th Ward	David Hawes, David Barnes
Clerk	R. M. Grennell
Treasurer	P. L. Mitchell
Marshal	Frazier Wilson
Attorney	Knox & Wilkinson

1858—1859.

MAYOR	THOMAS J. BUFORD
Alderman 1st Ward	Mylo Lee, William A. Knox
Alderman 2d Ward	James M. Buford, Sam'l C. Plummer
Alderman 3d Ward	David L. Cunkle, Jos. A. Biddison
Alderman 4th Ward	John Warner, David Barnes
Clerk	R. M. Grennell
Treasurer	*P. L. Mitchell
Treasurer	Bushrod Birch
Marshal	Wm. Bell
Attorney	V. M. Blanding

*Resigned June 22, 1858, and B. Birch elected to fill vacancy.

1859—1860.

MAYOR	THOMAS BUFORD
Alderman 1st Ward	*John B. Hawley, †Mylo Lee
Alderman 1st Ward	Wm. Shearer
Alderman 2d Ward	Reuben Hatch, James M. Buford
Alderman 3d Ward	‡Wm. E. Errett, David L. Cunkle
Alderman 3d Ward	Thomas J. Robinson
Alderman 4th Ward	David Barnes, John Warner
Clerk	R. M. Grennell
Treasurer	Bushrod Birch
Marshal	Wm. Kale
Attorney	

*Resigned Feb. 15, 1860.

†Resigned Feb. 20, 1860; Wm. Shearer elected to fill vacancy.

‡The election for Aldermen in the 3d Ward resulted in a tie between Wm. B. Seymour and Wm. E. Errett, and was decided by lot in favor of the latter.

||David L. Cunkle removed from Ward and Thomas J. Robinson elected to fill vacancy.

1860—1861.

MAYOR	CALVIN TRUESDALE
Alderman 1st Ward...	Jeremiah Chamberlain, John Harper
Alderman 2d Ward	Myron B. Clark, Reuben Hatch
Alderman 3d Ward..	Chas. R. Ainsworth, Bailey Davenport
Alderman 4th Ward	Jacob Dodge, David Barnes
Clerk	David H. Hand
Treasurer	P. L. Mitchell
Marshal	Frazer Wilson
Attorney	

1861—1862.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward...	Robert Don, Jeremiah Chamberlain
Alderman 2d Ward	Jacob Frysinger, Myron B. Clark
Alderman 3d Ward	Herman Field, H. A. J. McDonald
Alderman 4th Ward	Wm. W. Langdell, Jacob Dodge
Clerk	E. W. Swann
Treasurer	Bushrod Birch
Marshal	F. J. Underwood
Attorney	W. F. Chadwick

1862—1863.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	Jeremiah Chamberlain, Robert Don
Alderman 2d Ward	Myron B. Clark, Jacob Frysinger
Alderman 3d Ward	H. A. J. McDonald, Herman Field
Alderman 4th Ward	John Holt, Wm. W. Langdell
Clerk	E. W. Swann
Treasurer	J. H. Kinney
Marshal	J. L. Smith
Attorney	

1863—1864.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	Geo. M. Babcock, J. Chamberlain
Alderman 2d Ward	John Johnston, Myron B. Clark
Alderman 3d Ward	John D. Taylor, H. A. J. McDonald
Alderman 4th Ward	C. C. Webber, John Holt
Clerk	*James M. Buford
Clerk	Geo. W. Copp
Treasurer	Isaac Negus
Marshal	E. C. Cropper
Attorney	

*Resigned Nov. 2, 1863, and Geo. W. Copp elected to fill vacancy.

1864—1865.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	W. S. Phillips, Geo. M. Babcock
Alderman 2d Ward	Henry Burgower, John Johnston
Alderman 3d Ward	Ignatz Huber, J. D. Taylor
Alderman 4th Ward	Wm. W. Langdell, C. C. Webber
Clerk	John S. Gilmore
Treasurer	James M. Buford
Marshal	E. C. Cropper
Attorney	John B. Hawley

1865—1866.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	Wm. Shearer, W. S. Phillips
Alderman 2d Ward	W. L. Sweeney, Henry Burgower

Alderman 3d Ward	David L. Cunkle, Ignatz Huber
Alderman 4th Ward	Otis J. Dimick, Wm. W. Langdell
Clerk	*John S. Gilmore
Clerk	J. R. Johnston
Treasurer	Jas. M. Buford
Marshal	F. J. Underwood
Attorney	C. M. Osborn

*J. S. Gilmore declining the clerkship, J. R. Johnston was elected to fill the vacancy.

1866—1867.

MAYOR	CALVIN TRUESDALE
Alderman 1st Ward	J. R. Huber, Wm. Shearer
Alderman 2d Ward	O. J. Dimick, W. L. Sweeney
Alderman 3d Ward	Ignatz Huber, Peter Bogue
Alderman 4th Ward	L. D. Dimick, W. F. Gilmore
Clerk	Charles E. Dodge
Treasurer	James M. Buford
Marshal	E. C. Cropper
Attorney	C. M. Osborn

1867—1868.

MAYOR	*WILLIAM EGGLESTON
MAYOR	B. H. KIMBALL
Alderman 1st Ward	David Hawes, J. R. Huber
Alderman 2d Ward	Peter Fries, O. J. Dimick
Alderman 3d Ward	Richard Lloyd, Ignatz Huber
Alderman 4th Ward	George Wagner, †L. D. Dimick
Alderman 4th Ward	Porter Skinner
Clerk	J. R. Johnston
Treasurer	James M. Buford
Marshal	E. C. Cropper
Attorney	C. M. Osborn

*Resigned Aug. 5, 1867, and B. H. Kimball elected Sept. 10, 1867, to fill vacancy.

†Died. P. Skinner elected to fill vacancy.

1868—1869.

MAYOR	THOMAS MURDOCK
Alderman 1st Ward	Jos. Rosenfield, David Hawes

Alderman 2d Ward	Archie Shaw, Peter Fries
Alderman 3d Ward	Edward W. Spencer, Richard Lloyd
Alderman 4th Ward	Porter Skinner, Geo. Wagner
Clerk	David O. Reid
Treasurer	Cornelius Lynde, Jr.
Marshal	C. A. McLaughlin
Attorney	Alfred Webster

1869—1870.

MAYOR	JAMES M. BUFORD
Alderman 1st Ward	Jacob Wollenhaupt, Jos. Rosenfield
Alderman 2d Ward	Jacob Riley, *Archie Shaw
Alderman 2d Ward	Wm. Eggleston
Alderman 3d Ward	Ignatz Huber, Ed. W. Spencer
Alderman 4th Ward	Chas. W. Skinner, Porter Skinner
Clerk	J. Frank Conway
Treasurer	P. L. Mitchell
Marshal	Philip Mitsch
Attorney	H. C. Connelly

*A. Shaw resigned May 3, 1869, and William Eggleston elected June 18, 1869, to fill vacancy.

1870—1871.

MAYOR	PORTER SKINNER
Alderman 1st Ward	Michael Koch, Jacob Wollenhaupt
Alderman 2d Ward	William H. Sage, Jacob Riley
Alderman 3d Ward	H. E. Woods, Ignatz Huber
Alderman 4th Ward	Jos. A. Gray, *Chas. W. Skinner
Alderman 4th Ward	W. D. Crockett
Clerk	J. Frank Conway
Treasurer	James M. Buford
Marshal	Lewis M. Webber
Attorney	H. C. Connelly

*Resigned July 4, 1870, and W. D. Crockett elected Aug. 2, 1870, to fill vacancy.

1871—1872.

MAYOR	ELIJAH CARTER
Alderman 1st Ward	James Kelly, Michael Koch
Alderman 2d Ward	Jacob Riley, Wm. H. Sage

Alderman 3d Ward	E. W. Boynton, H. E. Woods
Alderman 4th Ward	Geo. Wagner, Joseph A. Gray
Clerk	S. F. Cooke
Treasurer	Cornelius Lynde, Jr.
Marshal	Chas. W. Hawes
Attorney	W. H. Gest

1872—1873.

MAYOR	THOMAS MURDOCK
Alderman 1st Ward	Michael Koch, James Kelly
Alderman 2d Ward	George W. Copp, Jacob Riley
Alderman 3d Ward	Gus. Stengel, *E. W. Boynton
Alderman 3d Ward	Richard Lloyd
Alderman 4th Ward	J. H. Drayton, Geo. Wagner
Alderman †5th Ward	W. S. Phillips, Hugh Warnock
Clerk	John Barge
Treasurer	James M. Buford
Marshal	‡George Lamont
Marshal	Philip Mitsch
Attorney	P. T. McElherne

*Resigned May 7, 1872, and Richard Lloyd elected June 4, 1872, to fill vacancy.

†Fifth Ward created by ordinance passed Nov. 4, 1872; Aldermen elected Dec. 3, 1872, and qualified Dec. 10, 1872.

‡Declined the office and P. Mitsch elected to fill vacancy.

1873—1874.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	Michael Koch, David Don
Alderman 2d Ward	Geo. W. Copp, Cyrus W. Churchill
Alderman 3d Ward	Wm. Bell, Gus. Stengel
Alderman 4th Ward	John R. Warner, J. H. Drayton
Alderman 5th Ward	Wm. S. Phillips, Jno. W. Lawhead
Alderman 5th Ward	*Geo. Wilkes
Clerk	John Barge
Treasurer	James M. Buford
Marshal	B. H. Kimball
Attorney	P. T. McElherne

*Elected June 3, 1873, vice W. S. Phillips, resigned May 9, 1873.

1874—1875.

MAYOR	THOMAS GALT
Alderman 1st Ward	Henry Carse, David Don
Alderman 2d Ward	G. E. Bailey, Cyrus W. Churchill
Alderman 3d Ward	Wm. Bell, L. D. Woodruff
Alderman 4th Ward	W. P. Butler, John R. Warner
Alderman 5th Ward	John Davis, Charles Engel
Clerk	S. F. Cooke
Treasurer	James M. Buford
Marshal	Chas. W. Hawes
Attorney	W. H. Gest

1875—1876.

MAYOR	BAILEY DAVENPORT
Alderman 1st Ward	Jacob Wollenhaupt, Henry Carse
Alderman 2d Ward	Julius Mosenfelder, Geo. E. Bailey
Alderman 3d Ward	Daniel Daly, L. D. Woodruff
Alderman 4th Ward	William Atkinson, W. P. Butler
Alderman 5th Ward	Thomas Yates, John Davis
Clerk	S. F. Cooke
Treasurer	Henry Burgower
Marshal	Chas. W. Hawes
Attorney	W. H. Gest

1876—1877.

MAYOR	WM. P. BUTLER
Alderman 1st Ward	Henry Carse, Jacob Wollenhaupt
Alderman 2d Ward	W. H. Lundy, Julius Mosenfelder
Alderman 3d Ward	Ignatz Huber, Dan Daly
Alderman 4th Ward	H. E. Woods, William Atkinson
Alderman 5th Ward	John Davis, Thos. Yates
Clerk	S. F. Cooke
Treasurer	J. M. Buford
Marshal	C. W. Hawes
Attorney	W. H. Gest

1877—1878.

MAYOR	WM. P. BUTLER
Alderman 1st Ward	M. S. O'Neal, Henry Carse

Alderman 2d Ward	Peter Schlemmer, Wm. H. Lundy
Alderman 3d Ward	Philip Simmons, Ignatz Huber
Alderman 4th Ward	Wm. E. Brooks, H. E. Woods
Alderman 5th Ward	Hugh Warnock, John Davis
Clerk	John L. Reed
Treasurer	J. M. Buford
Marshal	C. W. Hawes
Attorney	W. H. Gest

1878—1879.

MAYOR	ELISHA P. REYNOLDS
Alderman 1st Ward	Fred. Koch, M. S. O'Neil
Alderman 2d Ward	Wm. H. Lundy, Peter Schlemmer
Alderman 3d Ward	Jos. Cameron, Philip Simmons
Alderman 4th Ward	E. H. Anawalt, Wm. E. Brooks
Alderman 5th Ward	Jos. Hillier, Hugh Warnock
Clerk	John L. Reed
Treasurer	J. M. Buford
Marshal	Chas. W. Hawes
Attorney	V. M. Blanding

City orgaization under general incorporation law of 1872, adopted
Nov. 4, 1879.

1879—1880.

MAYOR	ELISHA P. REYNOLDS
Alderman 1st Ward	David Donaldson, Fred. Koch
Alderman 2d Ward	P. J. Wagner, Wm. H. Lundy
Alderman 3d Ward	F. W. Kellerstrass, Jos. Cameron
Alderman 4th Ward	Patrick Kennedy, E. H. Anawalt
Alderman 5th Ward	H. O. Warren, Jos. Hillier
Clerk	John L. Reed
Treasurer	J. M. Buford
Marshal	Chas. W. Hawes
Attorney	V. M. Blanding

1880—1881.

MAYOR	HENRY CARSE
Alderman 1st Ward	W. J. Browne, Geo. W. Henry
Alderman 2d Ward	William Rinck, Wm. H. Lundy
Alderman 3d Ward	Aug. Schmid, John E. Spencer

Alderman 4th Ward	John J. Reimers, David Stephens
Alderman 5th Ward	Hugh Warnock, Wm. Gray
Clerk	Robert Koehler
Treasurer	Henry L. Schill
Marshal	Phil Miller
Attorney	M. M. Corbett

1881—1882.

MAYOR	HENRY CARSE
Alderman 1st Ward	John C. Lafrenz, Hugh Warnock
Alderman 2d Ward	M. S. O'Neil, Robert Bennett
Alderman 3d Ward	Geo. W. Henry, Jas. V. Mahoney
Alderman 4th Ward	W. H. Lundy, W. H. Whitman
Alderman 5th Ward	Chas. J. Larkin, John E. Spencer
Alderman 6th Ward	Thos. F. Carey, David Stephens
Alderman 7th Ward	W. H. Barber, Jos. H. Kerr
Clerk	Robert Koehler
Treasurer	J. Frank Robinson
Marshal	Phil Miller
Attorney	James J. Parks

1882—1883.

MAYOR	HENRY CARSE
Alderman 1st Ward	Hugh Warnock, John C. Lafrenz
Alderman 2d Ward	Wm. Gray, M. S. O'Neil
Alderman 3d Ward	J. Z. Mott, Geo. W. Henry
Alderman 4th Ward	W. H. Whitman, W. H. Lundy
Alderman 5th Ward	Jas. W. Cavanaugh, Chas. J. Larkin
Alderman 6th Ward	John J. Reimers, Thos. F. Carey
Alderman 7th Ward	H. P. Hull, W. H. Barber
Clerk	Robert Koehler
Treasurer	J. Frank Robinson
Marshal	Phil Miller
Attorney	James J. Parks

1883—1884.

MAYOR	JAMES Z. MOTT
Alderman 1st Ward	Gus. Stengel, Hugh Warnock
Alderman 2d Ward	Robert Bennett, Wm. Gray

Alderman 3d Ward	Geo. W. Henry, Henry J. Lidders
Alderman 4th Ward	S. J. Collins, W. H. Whitman
Alderman 5th Ward	Jas. W. Cavanaugh, Chas. J. Larkin
Alderman 6th Ward	Thos. F. Carey, John J. Reimers
Alderman 7th Ward	F. M. Sinnett, H. P. Hull
Clerk	Robert Koehler
Treasurer	J. M. Buford
Marshal	Phil Miller
Attorney	M. M. Corbett

1884—1885.

MAYOR	JAMES Z. MOTT
Alderman 1st Ward	John C. Lafrenz, Gustav Stengel
Alderman 2d Ward	Henry Phillips, Robert Bennett
Alderman 3d Ward	Henry J. Lidders, Geo. W. Henry
Alderman 4th Ward	M. M. Briggs, S. J. Collins
Alderman 5th Ward	Jas. W. Cavanaugh, Chas. J. Larkin
Alderman 6th Ward	Wm. Edwards, Thos. F. Carey
Alderman 7th Ward	Wm. F. Schroeder, F. M. Sinnett
Clerk	Robert Koehler
Treasurer	J. M. Buford
Marshal	Phil Miller
Attorney	M. M. Corbett

1885—1886.

MAYOR	THOMAS MURDOCK
Alderman 1st Ward	John C. Lafrenz, H. C. Schaffer
Alderman 2d Ward	Henry Phillips, John Ohlweiler
Alderman 3d Ward	Henry Lidders, Geo. W. Henry
Alderman 4th Ward	M. M. Briggs, S. J. Collins
Alderman 5th Ward	Jas. W. Cavanaugh, Chas. J. Larkin
Alderman 6th Ward	Wm. Edwards, John Atkinson
Alderman 7th Ward	Wm. F. Schroeder, F. M. Sinnett
Clerk	Robert Koehler
Treasurer	Geo. E. Lambert
Marshal	Louis V. Eckhart
Attorney	M. E. Sweeney

1886—1887.

MAYOR	THOMAS MURDOCK
Alderman 1st Ward.....	H. C. Schaffer, Winslow Howard
Alderman 2d Ward	John Ohlweiler, A. H. Hampton
Alderman 3d Ward	Geo. W. Henry, Daniel Corcken
Alderman 4th Ward	S. J. Collins, W. H. Lundy
Alderman 5th Ward	Chas. J. Larkin, W. B. Ferguson
Alderman 6th Ward	John Atkinson, Wm. Edwards
Alderman 7th Ward	F. M. Sinnett, Wm. F. Schroeder
Clerk	Robert Koehler
Treasurer	Geo. E. Lambert
Marshal	Louis V. Eckhart
Attorney	M. E. Sweeney

1887—1888.

MAYOR	V. M. BLANDING
Alderman 1st Ward	Winslow Howard, H. C. Schaffer
Alderman 2d Ward	A. H. Hampton, Wm. Gray
Alderman 3d Ward	Daniel Corcken, Basil Winter
Alderman 4th Ward	W. H. Lundy, Frank Ill
Alderman 5th Ward ...	Wm. B. Ferguson, Geo. H. Simmons
Alderman 6th Ward	Wm. Edwards, Wm. McConochie
Alderman 7th Ward..	Wm. F. Schroeder, A. W. Williamson
Clerk	Robert Koehler
Treasurer	Wallace W. Eggleston
Marshal	John Brennan
Attorney	Wm. McEniry

1888—1889.

MAYOR	V. M. BLANDING
Alderman 1st Ward	H. C. Schaffer, Winslow Howard
Alderman 2d Ward	Wm. Gray, A. H. Hampton
Alderman 3d Ward	Basil Winter, Chas. W. Negus
Alderman 4th Ward	Frank Ill, Mathias Schnell
Alderman 5th Ward	Geo. H. Simmons, Chas. E. Evans
Alderman 6th Ward	Wm. McConochie, Wm. Edwards
Alderman 7th Ward	A. W. Williamson, W. W. Scott
Clerk	Robert Koehler

Treasurer	Wallace W. Eggleston
Marshal	John Brennan
Attorney	Wm. McEniry

1889—1890.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	Winslow Howard, Mathes Buncher
Alderman 2d Ward	A. H. Hampton, John Hetter
Alderman 3d Ward	Chas. W. Negus, Daniel Corcken
Alderman 4th Ward	Mathias Schnell, Frank Ill
Alderman 5th Ward	Charles E. Evans, B. Frank Knox
Alderman 6th Ward ...	Wm. Edwards, Wm. F. Schroeder
Alderman 7th Ward	W. W. Scott, James E. Larkin
Clerk	Robert Koehler
Treasurer	Geo. M. Loosley
Marshal	Phil Miller
Attorney	Joseph L. Haas

1890—1891.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	Mathes Buncher, Chas. F. Bladel
Alderman 2d Ward	John Hetter, Chas. Durmann
Alderman 3d Ward	Daniel Corcken, Jos. Geiger
Alderman 4th Ward	Frank Ill, W. P. Tindall
Alderman 5th Ward	B. Frank Knox, Chas. E. Evans
Alderman 6th Ward	Wm. F. Schroeder, Wm. Kennedy
Alderman 7th Ward	James E. Larkin, Paul Thiessen
Clerk	Robert Koehler
Treasurer	George M. Loosley
Marshal	Phil Miller
Attorney	Joseph L. Haas

1891—1892.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	Chas. F. Bladel, Andrew A. Johnson
Alderman 2d Ward	Chas. Durmann, John G. Hetter
Alderman 3d Ward	Jos. Geiger, Daniel Corcken
Alderman 4th Ward	W. P. Tindall, Albert D. Huesing
Alderman 5th Ward	Chas. E. Evans, B. Frank Knox

Alderman 6th Ward	William Kennedy, John Frohboes
Alderman 7th Ward	Paul Thiessen, J. C. Adams
Clerk	Robert Koehler
Treasurer	Phil. Mitchell
Marshal	Phil Miller
Attorney	Joseph L. Haas

1892—1893.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	Andrew A. Johnson, Chas. F. Bladel
Alderman 2d Ward	John G. Hetter, Henry Kinner
Alderman 3d Ward	Daniel Corcken, E. G. Fickenschcr, Jr.
Alderman 4th Ward	A. D. Huesing, Valentine Dauber
Alderman 5th Ward	B. Frank Knox, Chas. E. Evans
Alderman 6th Ward	*Wm. F. Schroeder, Wm. Kennedy
Alderman 7th Ward	†Edward H. Guyer, Albert E. Nelson
Clerk	Robert Koehler
Treasurer	Phil. Mitchell
Marshal	Phil Miller
Attorney	Joseph L. Haas

*Elected April 5, 1892, vice John Frohboes, resigned March 7, 1892.

†Elected April 5, 1892, vice J. C. Adams, resigned Oct. 5, 1891.

1893—1894.

MAYOR	T. J. MEDILL, JR.
Alderman 1st Ward	Chas. F. Bladel, William Roth
Alderman 2d Ward	Henry Kinner, Frederick Schroeder
Alderman 3d Ward	E. G. Fickenschcr, Jr., Daniel Corcken
Alderman 4th Ward	Valentine Dauber, W. C. Maucker
Alderman 5th Ward	Chas. E. Evans, Robt. Kuschmann
Alderman 6th Ward	Wm. Kennedy, John F. Cramer
Alderman 7th Ward	Albert E. Nelson, C. W. Foss
Clerk	Albert D. Huesing
Treasurer	C. F. Lynde
Marshal	M. H. Sexton
Attorney	Joseph L. Haas

1894—1895.

MAYOR	T. J. MEDILL, JR.
Alderman 1st Ward	William Roth, Charles F. Bladel
Alderman 2d Ward	Fred. Schroeder, G. Albert Johnson
Alderman 3d Ward	Daniel Corcken, F. H. Schroeder
Alderman 4th Ward	W. C. Maucker, Valentine Dauber
Alderman 5th Ward	Robt. Kuschmann, Geo. Schneider
Alderman 6th Ward	John F. Cramer, Wm. Kennedy
Alderman 7th Ward	C. W. Foss, Albert E. Nelson
Clerk	Albert D. Huesing
Treasurer	C. F. Lynde
Marshal	M. H. Sexton
Attorney	Joseph L. Haas

1895—1896.

MAYOR	B. FRANK KNOX
Alderman 1st Ward	William Zeis, John C. Surman
Alderman 2d Ward	G. A. Johnson, C. J. W. Schreiner
Alderman 3d Ward	F. H. Schroeder, W. C. Maucker
Alderman 4th Ward	Valentine Dauber, W. P. Tindall
Alderman 5th Ward	Geo. Schneider, Thos. A. Pender
Alderman 6th Ward	Wm. Kennedy, F. G. Gall
Alderman 7th Ward	A. E. Nelson, C. W. Foss
Clerk	Albert D. Huesing
Treasurer	C. R. Chamberlin
Marshal	Andrew Etzel
Attorney	Joseph L. Haas

1896—1897.

MAYOR	B. FRANK KNOX
Alderman 1st Ward	John C. Surman, M. V. Concannon
Alderman 2d Ward	C. J. W. Schreiner, G. A. Johnson
Alderman 3d Ward	W. C. Maucker, B. Winter
Alderman 4th Ward	W. P. Tindall, V. Dauber
Alderman 5th Ward	T. A. Pender, Henry L. Wheelan
Alderman 6th Ward	F. G. Gall, William Kennedy
Alderman 7th Ward	C. W. Foss, A. E. Nelson
Clerk	Albert D. Huesing
Treasurer	C. R. Chamberlin

Marshal Andrew Etzel
 Attorney Joseph L. Haas

1897—1898.

MAYOR T. J. MEDILL, JR.
 Alderman 1st Ward M. V. Concannon, J. C. Surman
 Alderman 2d Ward G. A. Johnson, H. Lohse
 Alderman 3d Ward B. Winter, W. C. Maucker
 Alderman 4th Ward V. Dauber, Charles Bleuer
 Alderman 5th Ward H. L. Wheelan, T. A. Pender
 Alderman 6th Ward Wm. Kennedy, F. G. Gall
 Alderman 7th Ward A. E. Nelson, A. F. Soderstrom
 Clerk Albert D. Huesing
 Treasurer H. B. Simmon
 Marshal J. H. Pender
 Attorney Charles B. Marshall

1898—1899.

MAYOR T. J. MEDILL, JR.
 Alderman 1st Ward J. C. Surman, Robert C. Beck
 Alderman 2d Ward H. H. Lohse, G. A. Johnson
 Alderman 3d Ward W. C. Maucker, B. Winter
 Alderman 4th Ward Charles Bleuer, George W. Aster
 Alderman 5th Ward T. A. Pender, Henry Wheelan
 Alderman 6th Ward F. G. Gall, H. D. Elwell
 Alderman 7th Ward A. F. Soderstrom, J. W. Lawhead
 Clerk Albert D. Huesing
 Treasurer H. B. Simmon
 Marshal J. H. Pender
 Attorney Charles B. Marshall

1899—1900.

MAYOR WM. McCONOCHIE
 Alderman 1st Ward R. C. Beck, M. V. Concannon
 Alderman 2d Ward G. A. Johnson, Chas. Heideman
 Alderman 3d Ward B. Winter, John O. Freed
 Alderman 4th Ward G. W. Aster, C. E. Willis
 Alderman 5th Ward H. C. Wheelan, T. A. Pender
 Alderman 6th Ward H. D. Elwell, F. G. Gall

Alderman 7th Ward	J. W. Lawhead, A. F. Soderstrom
Clerk	H. C. Schaffer
Treasurer	K. T. Anderson
Marshal	Phil Miller
Attorney	John K. Scott

1900—1901.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	M. V. Concannon, Wm. Wilkins
Alderman 2d Ward	C. Heideman, McClelland Snyder
Alderman 3d Ward	J. O. Freed, F. O. Andrews
Alderman 4th Ward	C. E. Willis, A. J. D. Moeller
Alderman 5th Ward	T. A. Pender, F. E. Robbins
Alderman 6th Ward	F. G. Gall, Wm. Kennedy
Alderman 7th Ward	A. F. Soderstrom, A. G. Anderson
Clerk	H. C. Schaffer
Treasurer	K. T. Anderson
Marshal	Phil Miller
Attorney	John K. Scott

1901—1902.

MAYOR	B. FRANK KNOX
Alderman 1st Ward	Wm. Wilkins, Frank Westbay
Alderman 2d Ward	McClelland Snyder, L. V. Eckhart, Jr.
Alderman 3d Ward	Frank Andrews, Wm. Hause
Alderman 4th Ward	Chas. Willis, A. J. D. Moeller
Alderman 5th Ward	F. E. Robbins, George White
Alderman 6th Ward	F. G. Gall, Wm. Kennedy
Alderman 7th Ward	A. G. Anderson, A. F. Soderstrom
Clerk	H. C. Schaffer
Treasurer	Wm. Gest, Jr.
Marshal	James Darnell
Attorney	John K. Scott

1902—1903.

MAYOR	B. FRANK KNOX
Alderman 1st Ward	F. Westbay, Frank W. Blochlinger
Alderman 2d Ward	L. V. Eckhart, Jr., Carl A. Naab
Alderman 3d Ward	Wm. Hause, O. H. Birkel

Alderman 4th Ward	Chas. Willis, Geo. W. McCaskrin
Alderman 5th Ward	George White, William Trefz
Alderman 6th Ward	F. G. Gall, Wm. Kennedy
Alderman 7th Ward	A. F. Soderstrom, A. G. Anderson
Clerk	H. C. Schaffer
Treasurer	Wm. Gest, Jr.
Marshal	James Darnell
Attorney	John K. Scott

1903—1904.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	F. W. Blochlinger, Frank Westbay
Alderman 2d Ward	Carl A. Naab, L. V. Eckhart, Jr.
Alderman 3d Ward	O. H. Birkel, Wm. Hause
Alderman 4th Ward	————— R. C. Benson
Alderman 5th Ward	William Trefz, F. E. Robbins
Alderman 6th Ward	Wm. Kennedy, Chas. C. Wilson
Alderman 7th Ward	A. G. Anderson, Joshua R. Brooks
Clerk	H. C. Schaffer
Treasurer	K. T. Anderson
Marshal	Phil Miller
Attorney	John K. Scott

1904—1905.

MAYOR	WM. McCONOCHIE
Alderman 1st Ward	Frank Westbay, Wm. Wilkins
Alderman 2d Ward	L. V. Eckhart, Jr., Chas. Oberg
Alderman 3d Ward	Wm. Hause, John O'Connor
Alderman 4th Ward	R. C. Benson, J. P. Sexton
Alderman 5th Ward	F. E. Robbins, Wm. Trefz
Alderman 6th Ward	Chas. C. Wilson, Andrew Christensen
Alderman 7th Ward	Joshua R. Brooks, A. G. Anderson
Clerk	H. C. Schaffer
Treasurer	K. T. Anderson
Marshal	Phil Miller
Attorney	John K. Scott
Attorney	Wm. L. Ludolph

1905—1906.

MAYOR	GEO. W. McCASKRIN
Alderman 1st Ward...	Frank W. Blochlinger, Allen N. Pratt
Alderman 2d Ward	Chas Oberg, L. V. Eckhart, Jr.
Alderman 3d Ward ...	John O'Connor, P. F. Trenkenschuh
Alderman 4th Ward	J. P. Sexton, V. Dauber
Alderman 5th Ward	Wm. Trefz, F. E. Robbins
Alderman 6th Ward ..	Andrew Christensen, Chas. C. Wilson
Alderman 7th Ward ...	A. G. Anderson, Joshua R. Brooks
Clerk	H. C. Schaffer
Treasurer	Edward W. Schoede
Marshal	
Attorney	Oliver Olsen

1906—1907.

MAYOR	GEO. W. McCASKRIN
Alderman 1st Ward	F. W. Blochlinger, Allen N. Pratt
Alderman 2d Ward	L. V. Eckhart, Jr., Chas. Oberg
Alderman 3d Ward	P. F. Trenkenschuh, Chas. J. Smith
Alderman 4th Ward	V. Dauber, R. C. Benson
Alderman 5th Ward	F. E. Robbins, Richard Sherwood
Alderman 6th Ward	Chas. C. Wilson, Frank Lawler
Alderman 7th Ward ...	Joshua R. Brooks, A. G. Anderson
Clerk	H. C. Schaffer
Treasurer	Edward W. Schoede
Marshal	
Attorney	Oliver Olsen

1907—1908.

MAYOR	H. C. SCHAFFER
Alderman 1st Ward.....	Allen N. Pratt, John Holzhammer
Alderman 2d Ward	Chas. Oberg, August J. Utke
Alderman 3d Ward	Chas. J. Smith, Justus R. Tuckis
Alderman 4th Ward	R. C. Benson, Henry J. Frick
Alderman 5th Ward	William Trefz, Geo. L. Schmid
Alderman 6th Ward	Frank Lawler, Martin McNealy
Alderman 7th Ward	A. G. Anderson, Louis Ostrom
Clerk	M. T. Rudgren

Treasurer	W. H. Gest, Jr.
Marshal	L. V. Eckhart, Jr.
Attorney	J. F. Witter

1908—1909.

MAYOR	H. C. SCHAFFER
Alderman 1st Ward ..	John Holzhammer, F. W. Blochlinger
Alderman 2d Ward	August J. Utke, John W. Carse
Alderman 3d Ward	Justis R. Tuckis, Chas. J. Smith
Alderman 4th Ward....	Henry J. Frick, Chas. L. Thompson
Alderman 5th Ward	Wm. Trefz, Geo. L. Schmid
Alderman 6th Ward	Martin McNealy, Frank Lawler
Alderman 7th Ward	Louis Ostrom, T. J. Ellinwood
Clerk	M. T. Rudgren
Treasurer	W. H. Gest, Jr.
Marshal	L. V. Eckhart, Jr.
Attorney	J. F. Witter

1909—1910.

MAYOR	GEO. W. McCASKRIN
Alderman 1st Ward ..	F. W. Blochlinger, John Holzhammer
Alderman 2d Ward	John W. Carse, August J. Utke
Alderman 3d Ward	————— S. A. La Vanway
Alderman 4th Ward ...	Chas. L. Thompson, Henry J. Frick
Alderman 5th Ward	Geo. L. Schmid, Wm. Cochran
Alderman 6th Ward	Frank Lawler, Martin McNealy
Alderman 7th Ward	T. J. Ellinwood, Chas. Borst
Clerk	M. T. Rudgren
Treasurer	C. F. Channon
Marshal	
Attorney	J. F. Witter

III.

RULES AND ORDER OF BUSINESS OF THE CITY COUNCIL OF THE CITY OF ROCK ISLAND

(Adopted by said Council, March 23, 1885.)

Rule 1. Regular meetings of the City Council shall be held at half past seven o'clock, p. m., on the first, second and third Mondays of each month. Notices of special meetings shall be served by the Marshal on each alderman, personally, or by leaving the same at his usual place of abode.

Order of Business.

Rule 2. At the hour appointed for meetings, the Clerk shall proceed to call the roll of members, marking the absentees, and announce whether a quorum is present. If a quorum be present the Council shall proceed to the business before it. A majority of the members, exclusive of the Mayor, shall be necessary to constitute a quorum; less than a quorum may adjourn and compel the attendance of members. The following shall be the order of business:

1. The reading of the minutes of the proceedings of the last meeting or meetings, amendment and approval of the same.
2. Reports of city officers.
3. Reports of standing committees.
4. Reports of special committees.
5. Unfinished business of preceding meeting.
6. Communications to the Council (which may also be considered at any time).
7. Miscellaneous business.

Rule 3. All questions relating to the priority of business shall be decided without debate.

Duties and Privileges of the Mayor.

Rule 4. The Mayor shall preserve order and decorum, and shall decide all questions of order, subject to an appeal to the City Council. He shall have the casting vote on all questions upon which the City Council is equally divided, but not otherwise.

Rule 5. While the Mayor is putting the question no member shall walk across or out of the Council room.

Rule 6. Every member, previous to his speaking, shall rise from his seat, and address himself to the Mayor, but shall not proceed with his remarks until recognized and named by the chair.

Rule 7. When two or more rise at once, the Mayor shall name the member who is first to speak.

Duties and Privileges of Members.

Rule 8. When a member wishes to present a communication, petition or report, he shall arise in his place and address the chairman in the usual form, and having briefly stated the subject of his communication or report, ask leave to present the same.

Rule 9. No member shall speak more than twice on the same general question, without leave of the Council.

Rule 10. A member called to order while speaking, shall immediately cease speaking and sit down, unless permitted to explain. If there be no appeal, the decision of the chair shall be conclusive; but, if the member appeal from the decision of the chair, the City Council shall decide on the case without debate.

Rule 11. While a member is speaking, no member shall hold any private discourse, nor pass between the speaker and the chair.

Rule 12. Each member who shall be present when a question is stated by the chair, shall vote thereon unless excused by the Council; or, unless he is directly interested in the question, in which case he shall not vote.

Motions and Resolutions.

Rule 13. No motion shall be put or debated unless it is seconded. When a motion is seconded, it shall be stated by the Mayor before debate, and every motion shall be reduced to writing, if required by the Mayor or any alderman.

Rule 14. After a motion or resolution is stated by the Mayor, it shall be deemed to be in the possession of the City Council, but it may be withdrawn at any time before decision or amendment.

Rule 15. In all cases where a resolution or motion is entered on the minutes of the City Council, the name of the member moving the same shall be entered also.

Rule 16. In all cases of the adoption, repeal or amendment of an ordinance, the ayes and nays shall be taken and entered on record. But a failure thus to enter them shall not invalidate the action of the Council. In all other cases, if any member requires it, and his motion is seconded, the ayes and nays on any question shall be taken, and entered upon the minutes; but the ayes and nays shall not be taken, unless called for previously to any vote on the question.

Rule 17. When a question is under debate, the only motion in order shall be: 1. To adjourn. 2. The previous question. 3. To lay on the table. 4. To postpone indefinitely. 5. To postpone to a certain day. 6. To refer. 7. To amend; and such motions shall have precedence in the order herein arranged—the first three to be decided without debate.

Adjournment.

Rule 18. A motion to adjourn the City Council shall always be in order; except, 1. When a member is in possession of the floor.

2. While the ayes and nays are being called. 3. When the members are voting. 4. When adjournment was the last preceding motion. 5. When it has been decided that the previous question shall be taken.

Rule 19. A motion to adjourn, simply, cannot be amended; but a motion to adjourn to a given time, may be and is open to debate.

Previous Question.

Rule 20. When the previous question is moved and put, it shall be in this form: "Shall the main question be now put?" If this is carried, all proposed amendments, and all further motions and debate shall be excluded, and the question be put without delay.

To Lay on the Table.

Rule 21. A motion to lay a question on the table, simply, is not debatable, but a motion to lay on the table and publish, or any other condition, is subject to amendment and debate.

Indefinite Postponement.

Rule 22. When a motion is postponed indefinitely, it shall not be taken up again during the same meeting.

To Refer.

Rule 23. A motion to refer to a standing committee shall take precedence of a similar motion for a special committee.

To Amend.

Rule 24. A motion to amend an amendment shall be in order; but to amend an amendment to an amendment shall not be entertained.

Rule 25. An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject shall not be in order.

Rule 26. On a motion to "strike out and insert," the paragraph to be amended shall first be read as it stands, the words proposed to be struck out, and those to be inserted, and finally, the paragraph as it would stand if so amended.

Reconsideration.

Rule 27. A motion may be reconsidered at any time during the same meeting, or at the first meeting held thereafter. A motion for a reconsideration being once made and decided in the negative, shall not be renewed before the next meeting.

Rule 28. A motion to reconsider must be made and seconded by members who voted in the majority, or by those who were absent and did not vote upon the motion to be reconsidered.

Rule 29. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

Committees.

Rule 30. All standing committees shall be appointed by the Mayor, and all special committees shall be appointed by the Mayor, unless otherwise especially directed by the City Council.

Rule 31. The following shall be the standing committees:

1. On Bridges.
2. On Claims.
3. On Finance.
4. On Fire and Light.
5. On Health and Police.
6. On Licenses.
7. On Ordinances.
8. On Parks.
9. On Printing.
10. On Streets, Alleys and Grounds.
11. On Sewers.
12. On Waterworks.

Each committee shall consist of three aldermen, except the Parks and Streets, Alleys and Grounds committees, which shall consist of seven aldermen each. The first named alderman on each committee is to be the chairman.

Special Committees.

Rule 32. All special committees shall consist of three members each, unless some other number be specified; and the first person named shall be the chairman.

Rule 33. On the acceptance of a final report from a special committee, the said committee shall be considered discharged without a vote unless otherwise ordered.

Reports of Committees.

Rule 34. Standing and special committees, to whom references are made, shall in all cases report in writing the state of facts, with their opinion thereon.

Rule 35. All reports of committees shall be addressed "To the City Council of the City of Rock Island;" they shall briefly describe the matter referred, and the conclusion to which the committee have arrived, which conclusion shall be summed up in the form of an order, resolution or recommendation.

Miscellaneous.

Rule 36. All bills and claims against the city shall be referred to some committee, and shall lie over until the next meeting of the Council, unless the same shall have been examined by the appropriate committee and payment recommended by a majority of such committee, in which case bills and claims may be passed and allowed, with-

out being referred, at the same meeting at which they are presented.

Rule 37. No ordinance shall be adopted by the City Council at the same meeting at which it is offered for consideration, but each ordinance shall pass to a second reading and shall not be adopted at a meeting occurring less than five (5) days after the meeting at which its consideration was moved, or at which it was referred.

It is expressly understood, however, that an ordinance may be considered and adopted at the same meeting at which it is offered for consideration, provided that a resolution is adopted by a unanimous vote of all aldermen present to so adopt the said ordinance.

That hereafter the City Attorney be required to furnish to each alderman a copy of all ordinances under consideration, where such ordinances have been referred for the purpose of investigation by the members of the Council.

Rule 38. The foregoing rules shall not be repealed, altered or suspended, unless by concurrence of two-thirds of all the aldermen selected.

PART I.

GENERAL LAWS

LAWS OF ILLINOIS

RELATING TO

CITIES AND VILLAGES

PART I.

I. GENERAL INCORPORATION LAWS FOR CITIES AND VILLAGES.

AN ACT to Provide for the Incorporation of Cities and Villages. (Approved April 10, 1872. In force July 1, 1872. Laws 1871-2, p. 218, Revised Statutes, Chapter 24.

Adopted by the City of Rock Island, November 4, 1879.

ARTICLE I.

ORGANIZATION OF CITIES.

(This article relates to the organization of cities under the above act, and the City of Rock Island being so organized, the article therefore is omitted.)

PROVISIONS OF FORMER CITY CHARTER.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly: That all the district of country in the County of Rock Island and State of Illinois, embraced within the following boundaries, to-wit: Commencing at a point in the middle thread of the main channel of the Mississippi river, where the east line of fractional township eighteen (18) north, range two (2), west of the fourth principal meridian, produced north, would intersect said middle thread of said main channel and

from said point running south to, upon and beyond the said township line, to a point one-half mile south of the south-east corner of said fractional township eighteen (18), thence west on the center line of sections one, two and three, in township seventeen north, range two, west of the 4th P. M., and beyond the same to where the said line produced west would intersect the middle thread of the main channel of the Mississippi river, thence up stream along the said middle thread of said main channel to the place of beginning, is hereby erected into a city by the name of the "City of Rock Island." (1)

§ 2. The inhabitants of said city shall be a corporation by the name of the "City of Rock Island," and by that name shall have perpetual succession, sue and be sued, complain and defend in any court; may make and use a common seal, and alter and change it at pleasure; may take hold and purchase such real, personal or mixed estate as the purposes of the corporation may require, within or without the limits of the city, and may sell, lease or dispose of the same for the benefit of the city. [Approved Feb. 16, 1857; Special Laws, 1857, p. 939.]

(1) Under the power granted the city by an act of the legislature, entitled "An act to provide for annexing and excluding territory from cities, towns and villages, and to unite cities, towns and villages," approved April 10, 1872 (Gross' Stat., 1872, p. 64, § 86, et. seq.), the City Council, by ordinance passed Nov. 16, 1872, annexed the N. W. $\frac{1}{4}$ sec. 6, tp. 17, N. R. 1, West 4th P. M., and the W. fractional half (south of the slough) of sec. 31, tp. 18, N. R. 1, West 4th P. M., to the city of Rock Island.

ARTICLE II.

OF THE MAYOR.

- | | |
|-----------------------------------|-------------------------------------------------------|
| § 1. Mayor—qualifications. | § 9. Release of prisoners. |
| 2. Vacancy one year or over. | 10. General duties. |
| 3. Vacancy less than year. | 11. To examine records, etc. |
| 4. Mayor pro tem. | 12. Messages to Council. |
| 5. Vacancy by removal from city. | 13. To call out militia, etc., riots. |
| 6. Mayor to preside—casting vote. | 14. Misconduct, etc., Mayor or other officer—penalty. |
| 7. When he may remove officers. | 15. Revising ordinances after change. |
| 8. His power to keep peace. | |

§ 1. *Mayor—His Qualifications.* The chief executive officer of a city shall be a Mayor, who shall be a citizen of the United States, a qualified elector, reside within the city limits, and hold his office for two years, and until his successor is elected and qualified.

§ 2. *Vacancy One Year or Over.* Whenever a vacancy shall happen in the office of the Mayor, when the unexpired term shall be one year or over from the date when the vacancy occurs, it shall be filled by an election.

§ 3. *Vacancy Less Than a Year.* If the vacancy is less than one year, the City Council shall elect one of its number to act as Mayor, who shall possess all the rights and powers of the Mayor until the next annual election, and until his successor is elected and qualified.

§ 4. *Mayor Pro Tem.* During a temporary absence or disability of the Mayor, the City Council shall elect one of its number to act as Mayor *pro tem.*, who, during such absence or disability, shall possess the powers of Mayor.

§ 5. *Vacancy by Removal From City.* If the Mayor, at any time during the term of his office, shall remove from the limits of the city, his office shall thereby become vacant.

§ 6. *Mayor to Preside, Casting Vote.* The Mayor shall preside at all meetings of the City Council, but shall not vote except in case of a tie, when he shall give the casting vote.

§ 7. *When He May Remove Officers.* The Mayor shall have power to remove any officer appointed by him, on any formal charge, whenever he shall be of the opinion that the interests of the city demand such removal, but he shall report the reasons for such removal to the Council at a meeting to be held not less than five days nor more than ten days after such removal; and if the Mayor shall fail, or refuse to file with the City Clerk a statement of the reasons for such removal, or if the Council by a two-thirds ($\frac{2}{3}$) vote of all its members authorized by law to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such officer shall thereupon become restored to the office from which he was so removed; but he shall give new bonds and take a new oath of office. No officer shall be removed a second time for the same offense. (As amended by an act approved May 31, 1879.)

§ 8. *His Power to Keep Peace.* He may exercise within the city limits, the powers conferred upon sheriffs, to suppress disorder and keep the peace.

§ 9. *Release of Prisoners.* He may release any person imprisoned for violation of any city ordinance, and shall report such release, with the cause thereof, to the Council at its first session thereafter.

§ 10. *General Duties.* He shall perform all such duties as are or may be prescribed by law or by the city ordinances and shall take care that the laws and ordinances are faithfully executed.

§ 11. *Power to Examine Records, Etc.* He shall have power at all times, to examine and inspect the books, records and papers of any agent, employe or officer of the city.

§ 12. *Messages to Council.* The Mayor shall annually and from time to time give the Council information relative to the affairs of the city, and shall recommend for their consideration such measures as he may deem expedient.

§ 13. *To Call Out Militia, Etc., Riots, Etc.* He shall have power, when necessary, to call on every male inhabitant of the city over the age of 18 years, to aid in enforcing the laws and ordinances, and to call out the militia to aid in suppressing riots and other disorderly conduct, or carrying into effect any law or ordinance, subject to the authority of the governor as commander-in-chief of the militia.

§ 14. *Misconduct, Etc., of the Mayor or Other Officer. Penalty.* In case the Mayor or any other municipal officer shall at any time be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, misconduct or malfeasance in the discharge of the duties of his office, he shall be liable to indictment in any court of competent jurisdiction, and, on conviction, shall be fined in a sum not exceeding \$1,000; and the court in which such conviction shall be had shall enter an order removing such officer from office.

§ 15. *Revising Ordinances After Change of Organization.* He may appoint, by and with the advice and consent of the City Council, immediately after such change of organization, one or more competent persons to prepare and submit to the City Council for their adoption or rejection an ordinance in revision of the ordinances of such city, and for the government of such city, the compensation of such reviser or revisers to be determined and fixed by the City Council and paid out of the city treasury.

ARTICLE III.

OF THE CITY COUNCIL.

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|----------------------------------------------------|------------------------------------------------------|
| § 1. Council—how composed. | § 11. Open doors. |
| 2. Number of aldermen. | 12. Journal shall be kept. |
| 3. Term of office of aldermen. | 13. Yeas and nays—record—vote—required. |
| 4. Vancancy. | 14. Not rescind vote at special meeting unless, etc. |
| 5. Qualifications of aldermen. | 15. When report laid over. |
| 6. Council judge of election and qualification of. | 16. Territorial jurisdiction. |
| 7. Rules—expulsion—bribery. | 17. Special meetings. |
| 8. Quorum—compelling attendance. | 18. Ordinance—appeal—vote. |
| 9. Meetings. | 19. Reconsideration—passing over veto. |
| 10. Chairman pro tem. | |

§ 1. *Council, How Composed.* The City Council shall consist of the Mayor and aldermen.

§ 2. *Number of Aldermen.* The number of aldermen, when not elected by the minority representation plan, shall be as follows: In cities not exceeding 3,000 inhabitants, six aldermen; exceeding 3,000, but not exceeding 5,000, eight aldermen; exceeding 5,000 and not exceeding 10,000, ten aldermen; exceeding 10,000 and not exceeding 30,000, fourteen aldermen; and two additional aldermen for every 20,000 inhabitants over 30,000. Provided, however, that in cities of over 350,000 inhabitants there shall be elected forty-eight aldermen and no more, unless additional territory shall be annexed to such city, after such city shall have been divided into wards on the basis of forty-eight aldermen, in which case, and, as often as new territory shall be annexed to such city, as aforesaid, containing three or more square miles of territory or 15,000 inhabitants and not exceeding 25,000 inhabitants, such annexed territory shall constitute a ward of such city, and the city council of such city shall authorize the legal voters of such annexed territory to elect two aldermen from such ward in such annexed territory, which said aldermen in such annexed territory shall be additional to said forty-eight aldermen, and who shall possess all the qualifications of, and be elected at the time and in the manner, provided in the said act, of which this is an amendment: Provided, that if said annexed territory shall contain more than 25,000 inhabitants, then the city council shall authorize the legal voters of such annexed territory to elect two aldermen for every 25,000 inhabitants thereof, and two additional aldermen for every fraction of 15,000 inhabitants or more. The number of inhabitants to be determined by the last preceding national, state or school census of such annexed territory. And if any such annexed territory has less than 15,000 inhabitants, and less than three square miles in extent, then the city council shall annex it to any ward or wards which it adjoins: Provided, further, that when the number of aldermen in any such city shall reach seventy by reason of such annexed territory, the

city council shall re-district said city into thirty-five new wards, and no more; and when said number of aldermen shall reach seventy, if any new territory is thereafter annexed which shall contain 25,000 inhabitants, or more, as determined by the last preceding national, state, school, or other census authorized by law to be taken, then said city council shall re-district said city into thirty-five wards: Provided further, that whenever, after such new territory shall have been annexed, as aforesaid, said city shall be re-districted, the number of wards at the time said city is so re-districted, shall be preserved, and the city council thereof may, at its discretion, change the boundary between such new ward and the original territory of the city, and make said new ward larger or smaller, to comply with the requirements of said act as to compactness and equality of inhabitants. And provided, further, if it shall appear from any census heretofore or hereafter taken; that any city has the requisite number of inhabitants to authorize it to increase the number of aldermen, it shall be the duty of the city council thereof to proceed, without delay, and re-district such city in accordance with the provisions hereof, and to call and hold its next city election in accordance with such new re-districting: Provided, that at such election the aldermen who hold over shall be considered aldermen for the new wards respectively in which their residence shall be, unless there shall be two or more aldermen who hold over in the same ward under this proviso, then, in such case, it shall be determined by lot in presence of the city council, in such manner as they shall direct, which alderman shall hold over for such ward. (As amended by act approved and in force June 4, 1889.)

§ 3. *Term of Office.* Aldermen shall hold their office for the term of two years, and until their successors are elected and qualified.

§ 4. *Vacancy.* If any vacancy shall occur in the office of alderman by death, resignation, removal or otherwise, such vacancy shall be filled by election.

§ 5. *Qualifications of Aldermen.* No person shall be eligible to the office of alderman unless he shall be a qualified elector, and shall reside within the ward for which he is elected, nor shall he be eligible if he is in arrears in the payment of any tax or other liability due to the city; nor shall he be directly or indirectly interested in any contract whatever to which the city is a party; nor shall he be eligible if he shall have been convicted of malfeasance, bribery or other corrupt practices or crimes; nor shall he be eligible to any office, the salary of which is payable out of the city treasury, if at the time of his appointment he shall be a member of the City Council; nor shall any member of the City Council at the same time hold any other office under the city government; nor shall he be either directly or indirectly, individually or as a member of a firm, engaged in any business transaction (other than official) with such city, through its Mayor or any of its authorized boards, agents or attorneys, whereby any money is to be paid, directly or indirectly, out of the city treasury to such member or firms.

§ 6. *Council Judge of Its Members.* The City Council shall be judge of the election and qualification of its own members.

§ 7. *Rules—Expulsion—Bribery.* It shall determine its own rules of proceeding, punish its members for disorderly conduct, and with the concurrence of two-thirds of the aldermen-elect, may expel a member, but not a second time for the same offense: Provided, that any alderman or councilman who shall have been convicted of bribery shall thereby be deemed to have vacated his office.

§ 8. *Quorum—Compelling Attendance.* A majority of the aldermen-elect shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absentees under such penalties as may be prescribed by ordinance.

§ 9. *Meetings.* The City Council may prescribe, by ordinance, the times and places of the meeting thereof, and the manner in which special meetings thereof may be called.

§ 10. *Chairman Pro Tem.* It may elect a temporary chairman in the absence of the Mayor.

§ 11. *Open Doors.* It shall sit with open doors.

§ 12. *Journal.* It shall keep a journal of its own proceedings.

§ 13. *Yeas and Nays—Record—Vote Required.* The yeas and nays shall be taken upon the passage of all ordinances; and on all propositions to create any liability against the city, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the journal of its proceedings; and the concurrence of a majority of all the members elected in the City Council shall be necessary to the passage of any such ordinance or proposition: Provided, it shall require two-thirds of all the aldermen elect to sell any city or school property.

§ 14. *Not to Rescind Vote at Special Meeting—Unless—Etc.* No vote of the City Council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken.

§ 15. *When Report Laid Over.* Any report of a committee of the Council shall be deferred, for final action thereon, to the next regular meeting of the same after the report is made, upon request of any two aldermen present.

§ 16. *Territorial Jurisdiction.* The City Council and board of trustees shall also have jurisdiction in and over all places within one-half mile of the city or village limits for the purpose of enforcing health and quarantine ordinances and regulations thereof.

§ 17. *Special Meeting.* The Mayor or any three aldermen may call special meetings of the City Council.

§ 18. *Ordinances—Approval—Veto.* All ordinances passed by the City Council shall, before they take effect, be deposited in the office of the City Clerk; and if the Mayor

approves thereof, he shall sign the same, and such as he shall not approve he shall return to the Council, with his objections thereto, in writing, at the next regular meeting of the Council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the Mayor shall fail to return any ordinance with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

§ 19. *Reconsideration—Passing Over Veto.* Upon the return of any ordinance by the Mayor, the vote by which the same was passed shall be reconsidered by the Council; and, if, after such reconsideration, two-thirds of all the members elected to the City Council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the Mayor may refuse to approve thereof. The vote to pass the same over the Mayor's veto shall be taken by yeas and nays and entered on the journal.

ARTICLE IV.

ELECTIONS.

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|---------------------------------------------|-------------------------------------------------|
| § 1. Annual election. | § 9. Council to designate place of election. |
| 2. Election of Mayor. | 10. Manner of conducting elections. |
| 3. Who entitled to vote. | 11. Result—tie. |
| 4. Wards. | 12. Notice to persons elected or appointed. |
| 5. Aldermen at first election classified. | 13. Where no quorum in office—special election. |
| 6. Minority representation. | 14. Special election. |
| 7. Aldermen under minority representation. | |
| 8. Aldermen when minority plan not adopted. | |

§ 1. *Annual Election.* A general election for city officers shall be held on the third Tuesday of April of each year. Provided, that in cities which include wholly within

their corporate limits a town or towns, such elections shall be held on the first Tuesday of April. (As amended by act approved and in force March 9, 1877.)

§ 2. *Election of Mayor—City Clerk—Attorney—and Treasurer.* At the general election held in 1877, and biennially thereafter, a mayor, a city clerk, a city attorney and a city treasurer shall be elected in each city. Provided, that no person shall be elected to the office of city treasurer for two terms in succession. (As amended by act approved and in force March 26, 1877.)

§ 3. *Who Entitled to Vote.* All persons entitled to vote at any general election for state officers within any city or village, having resided therein thirty days next preceding thereto, may vote at any election for city or village officers.

§ 4. *Wards.* The city council of any city in this state, whether organized under this act or under any special law of this state, may, from time to time, divide the city into one-half as many wards as the total number of aldermen to which the city is entitled; and one alderman shall annually be elected in and for each ward, to hold his office for two years, and until his successor is elected and qualified. In the formation of wards the population of each shall be as nearly equal and the ward shall be of as compact and contiguous territory as practicable. (As amended by act approved June 17, 1887.)

§ 5. *Aldermen at First Election—Classified.* At the first election under this act, there shall be elected the full number of aldermen to which the city shall be entitled. At the first meeting of the City Council after such election, the aldermen elected shall be divided, by lot, into two classes; those of the first class shall continue in office for one year, and those of the second for two years. And upon any increase of the number of aldermen, at their first election, one-half shall be elected for one year, and one-half for two years.

§ 6. *Minority Representation.* Whenever this act

shall be submitted to the qualified electors of any city for adoption, there shall be submitted at the same time for adoption or rejection the question of minority representation in the City Council or legislative authority of such city. At the said election the ballot shall be in the following form: "For minority representation in the City Council," or "Against minority representation in the City Council," and at any subsequent time, on petition of the legal voters equal in number to one-eighth the number of legal votes cast at the next preceding general city election, the City Council shall cause the question of minority representation to be submitted to the legal voters of said city, and the ballots shall be in form as provided in this section: Provided, that no such question of representation shall be submitted more than once in every two years. The judges of such election shall make returns thereof to the City Council, whose duty it shall be to canvass such returns, and to cause the result of such canvass to be entered on the records of such city. If a majority of the votes cast at such election shall be for equal representation in the City Council, then the members of the City Council, or legislative authority of such city, shall be thereafter elected in the following manner: The Council or legislative authority of such city, at least one month before the general election in the year in which this act shall take effect in such city, shall apportion such city by dividing the population thereof, as ascertained by the last Federal Census, by any number not less than two, nor more than six, and the quotient shall be the ratio or representation in the City Council. Districts shall be formed of contiguous and compact territory, and contain, as near as practicable, an equal number of inhabitants: And provided, further, that where said council or legislative authority of such city have not fixed a ratio of representation and formed the districts or wards, at the time above specified, the same may be done by any subsequent board of aldermen; but all official acts heretofore done and ordinances heretofore passed by any board of aldermen elected at large by the legal electors of any such city on the minority representation plan, shall be held and taken by all courts in this

State, to be of as much validity and binding force as if they had been elected from wards or districts. (As amended by act approved and in force April 11, 1883.)

§ 7. *Aldermen Under Minority Plan.* Every such district shall be entitled to three aldermen, who shall hold their office for two years, and until their successors shall be elected and qualified. At the first general election for Mayor, after the passage of this act, and every two years thereafter, there shall be elected in each ward as many aldermen as such ward shall be entitled to. Provided, that aldermen elected under this act in wards wherein aldermen were elected for two years at the last previous annual election, shall not take their seats as such until the terms of the alderman last aforesaid shall expire. Vacancies shall be filled at an election to be held by the voters of the district in which such vacancies shall occur, at the time to be designated by the City Council. In all elections for aldermen aforesaid, each qualified voter may cast as many votes as there are aldermen to be elected in his district, or may distribute the same, or equal parts thereof, among the candidates as he shall see fit, and the candidate highest in votes shall be declared elected. (As amended by act approved and in force April 11, 1883.)

§ 8. *Aldermen When Minority Plan Not Adopted.* If a majority of the votes cast at such election shall be "Against minority representation in the City Council," the preceding section shall be null and void, so far as it relates to such city at such election, and the aldermen of such city shall be elected as otherwise provided for in this act.

§ 9. *Place of Election—Notice.* The City Council shall designate the place or places in which the election shall be held, and appoint the judges and clerks thereof, and cause notice to be printed in some newspaper published in such city, if there be one, or posted at each voting place in such city, of the time, places of election and of the offi-

cers to be elected, for at least twenty days prior to such election.

§ 10. *Manner of Conducting Elections, Etc.* The manner of conducting and voting at elections to be held under this act and contesting the same, the keeping of poll lists and canvassing the votes, shall be the same, as nearly as may be, as in the case of the election of county officers, under the general laws of this state. The judges of election shall appoint clerks when necessary to fill vacancies, and the judges and clerks shall take the same oath and have the same powers and authority as the judges and clerks of general state elections. After the closing of the polls, the ballots shall be counted and the returns made out and returned under seal, to the city or village clerk, as the case may be, within two days after the election; and thereupon, the city council or board of trustees, as the case may be, shall examine and canvass the same and declare the result of the election, and cause a statement thereof to be entered upon its journals.

§ 11. *Result—Tie.* The person having the highest number of votes for any office shall be declared elected. In case of a tie in the election of any city or village officer, it shall be determined by lot, in presence of the city council or board of trustees, in such manner as they shall direct, which candidate or candidates shall hold the office.

§ 12. *Notice to Persons Elected or Appointed.* It shall be the duty of the village or city clerk, within five days after the result of the election is declared or appointment made, to notify all persons elected or appointed to office of their election or appointment, and unless such persons shall respectively qualify in ten days after such notice, the office shall become vacant.

§ 13. *When no Quorum in Office—Special Election.* If, for any cause, there shall not be a quorum in office of the city council or board of trustees, the mayor, clerk, or any alderman or trustee, as the case may be, may appoint

the time and place for holding a special election to supply such vacancy and give notice and appoint the judges thereof.

§ 14. *Special Elections.* If there is a failure to elect any officer herein required to be elected, or the person elected shall fail to qualify, the city council or board of trustees may forthwith order a new election therefor; and in all cases, when necessary for the purposes of this act, may call special elections, appoint judges and clerks thereof, canvass the returns thereof, and provide by ordinance for the mode of conducting the same; and shall give notice of such special elections, in which shall be stated the questions to be voted upon, and cause such notices to be published or posted for the same length of time and in the same manner as is required in the case of regular annual elections in such cities or villages.

ARTICLE V.

OF THE POWERS OF THE CITY COUNCIL.

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|---------------------------------------------------|---------------------------------------------|
| § 1. General powers of council. | § 9. Fines and licenses—paid to treasurer. |
| 2. May license itinerant merchants. | 10. Summons — affidavit—punishment. |
| 3. May license engineers—penalty. | 11. Jurisdiction of justices. |
| 4. Board to examine—license. | 12. Constable or sheriff may serve process. |
| 5. Style of ordinances. | 13. Jurisdiction over waters—street labor. |
| 6. Publication of ordinances—when to take effect. | 14. Fines and penalties. |
| 7. Proof of ordinances. | |
| 8. Suits for violating ordinances. | |

§ 1. *Powers.* The City Council in cities, and president and the board of trustees in the villages, shall have the following powers:

First.—To control the finances and property of the corporation.

Second.—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

Third—To levy and collect taxes for general and special purposes on real and personal property.

Fourth—To fix the amount, terms and manner of issuing and revoking licenses.

Fifth—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate to exceed five (5) per centum on the value of the taxable property therein, to be ascertained by the last assessment for the state and county taxes previous to the incurring of such indebtedness, and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years after contracting the same.

Sixth—To issue bonds in place of or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

Seventh—To lay out, to establish, open, alter, widen, extend, grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

Eighth—To plant trees upon the same.

Ninth—To regulate the use of the same.

Tenth—To prevent and remove encroachments or obstructions upon the same.

Eleventh—To provide for the lighting of the same.

Twelfth—To provide for the cleansing of the same.

Thirteenth—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: Provided, however, that any company hereto-

fore organized under the general laws of this state, or any association of persons organized, or which may be hereafter organized for the purpose of manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right, by the consent of the common council (subject to existing rights), to erect gas factories, and lay down pipes in the streets or alleys of any city or village of this state, subject to such regulations as any such city or village may by ordinance impose.

Fourteenth—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks in front of, or along the same, free from snow and other obstructions.

Fifteenth—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury to any street, avenue, alley or public ground.

Sixteenth—To provide for and regulate crosswalks, curbs and gutters.

Seventeenth—To regulate and prevent the use of streets, sidewalks and public grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting hand bills and advertisements.

Eighteenth—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or hand bills in the streets or public grounds, or upon the sidewalks.

Nineteenth—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

Twentieth—To regulate traffic and sales upon the streets, sidewalks and public places.

Twenty-first—To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

Twenty-second—To regulate the numbering of houses and lots.

Twenty-third—To name and change the name of any street, avenue, alley, or other public place.

Twenty-fourth—To permit, regulate or prohibit the locating, constructing, or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for a longer time than twenty years.

Twenty-fifth—To provide for and change the location, grade and crossings of any railroad.

Twenty-sixth—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses, or other domestic animal, may sustain by reason of injuries thereto while on the track of such railroad, in like manner and extent as under the general laws of this state, relative to the fencing of railroads; and actions to recover such damages may be instituted before any justice of the peace or other court of competent jurisdiction.

Twenty-seventh—To require railroad companies to keep flagman at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their tracks to conform to any grade which may, at any time, be established by such city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad tracks, so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

Twenty-eighth—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Twenty-ninth—To construct and keep in repair culverts, drains, sewers and cesspools, and to regulate the use thereof.

Thirtieth—To deepen, widen, dock, cover, wall, alter, or change the channel of water courses.

Thirty-first—To construct and keep in repair canals and slips for the accommodation of commerce.

Thirty-second—To erect and keep in repair public landing places, wharves, docks and levees.

Thirty-third—To regulate and control the use of public and private landing places, wharves, docks and levees.

Thirty-fourth—To control and regulate the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Thirty-fifth—To license, regulate and prohibit wharfboats, tugs and other boats used about the harbor, or within such jurisdiction.

Thirty-sixth—To fix the rate of wharfage and dockage.

Thirty-seventh—To collect wharfage and dockage from all boats, rafts, or other craft landing at or using any public landing place, wharf, dock or levee within the limits of the corporation.

Thirty-eighth—To make regulations in regard to the use of harbors, towing of vessels, opening and passing of bridges.

Thirty-ninth—To appoint harbor masters and define their duties.

Fortieth—To provide for the cleansing and purification of waters, water courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

Forty-first—To license, tax, regulate, suppress and prohibit hawkers, peddlers and pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, and to revoke such license at pleasure.

Forty-second—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations, and to prescribe their compensation.

Forty-third—To license, regulate, tax and restrain runners for stages, cars, public houses or other things or persons.

Forty-fourth—To license, regulate, tax or prohibit and suppress billiards, bagatelle, pigeon-hole or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

Forty-fifth—To suppress bawdy and disorderly houses, houses of ill-fame or assignation, within the limits of the city, and within three miles of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries and all fraudulent devices and practices, for the purpose of gaming or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

Forty-sixth—To license, regulate and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: Provided, that the City Council in cities, or president and board of trustees in villages, may grant permits to druggists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: Provided, further, that in granting licenses, such corporate authorities shall comply with whatever general law of the state may be in force relative to the granting of licenses.

Forty-seventh—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

Forty-eighth—And the City Council in cities, and president and board of trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant or insane, idiotic or distracted person, habitual drunkard, or person intoxicated.

Forty-ninth—To establish markets and market houses, and provide for the regulation and use thereof.

Fiftieth—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for place and manner of selling the same.

Fifty-first—To prevent and punish forestalling and regrating.

Fifty-second—To regulate the sale of bread in the city or village; prescribe the weight and quality of the bread in the loaf.

Fifty-third—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

Fifty-fourth—To regulate the inspection, weighing and measuring of brick, lumber, firewood, coal, hay and any article of merchandise.

Fifty-fifth—To provide for the inspection and sealing of weights and measures.

Fifty-sixth—To enforce the keeping and use of proper weights and measures by vendors.

Fifty-seventh—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Fifty-eighth—To regulate places of amusement.

Fifty-ninth—To prevent intoxication, fighting, quarreling, dog fights, cock fights, and all disorderly conduct.

Sixtieth—To regulate partition fences and party walls.

Sixty-first—To prescribe the thickness, strength and manner of constructing stone, brick and other buildings, and construction of fire escapes therein.

Sixty-second—The City Council, and the president and trustees in villages, for the purpose of guarding against calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed, or repaired, without permission, and to direct that all and any buildings, within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent of the value, shall be torn down or removed, and to prescribe the manner of ascertaining such damage.

Sixty-third—To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and enclosures as may be in a dangerous state to be put in a safe condition.

Sixty-fourth—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

Sixty-fifth—To regulate and prevent storage of gun-powder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate and restrain the use

of fireworks, fire-crackers, torpedoes, Roman candles, sky-rockets and other pyrotechnic displays.

Sixty-sixth—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

Sixty-seventh—To provide for the inspection of steam boilers.

Sixty-eighth—To prescribe the duties and powers of a superintendent of police, policemen and watchmen.

Sixty-ninth—To establish and erect calaboooses, bridewells, houses of correction and workhouses for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same, and appoint necessary keepers and assistants.

Seventieth—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county board.

Seventy-first—To provide by ordinance in regard to the relation between all the officers and employes of the corporation in respect to each other, the corporation and the people.

Seventy-second—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

Seventy-third—To prohibit and punish cruelty to animals.

Seventy-fourth—To restrain and punish vagrants, mendicants and prostitutes.

Seventy-fifth—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

Seventy-sixth—To appoint a board of health, and prescribe its powers and duties.

Seventy-seventh—To erect and establish hospitals and medical dispensaries, and control and regulate the same.

Seventy-eighth—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Seventy-ninth—To establish and regulate cemeteries within or without the corporation, and acquire lands therefor, by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

Eightieth—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

Eighty-first—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories and tanneries within the limits of the city or village, and within the distance of one mile without the city or village limits.

Eighty-second—To direct the location and regulate the use and construction of breweries, distilleries, livery stables, blacksmith shops and foundries within the limits of the city or village.

Eighty-third—To prohibit any offensive or unwholesome business or establishment within, or within one mile of the limits of the corporation.

Eighty-fourth—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pigsty, privy, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

Eighty-fifth—The City Council or trustees of a village shall have power to provide for the taking of the city or village census, but no city or village census shall be taken by authority of the council or trustees oftener than once in three years.

Eighty-sixth—To provide for the erection and care of public buildings necessary for the use of the city or village.

Eighty-seventh—To establish ferries, toll bridges and license and regulate the same, and from time to time fix tolls thereon.

Eighty-eighth—To authorize the construction of mills, mill-races, and feeders on, through or across the streets of the city or village, at such places and under such restrictions as they shall deem proper.

Eighty-ninth—The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company (within the corporate limits); but where no compensation is made to such railroad company, the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

Ninetieth—The City Council or board of trustees shall have no power to grant the use of or the right to lay down any railroad tracks in any street of the city to any steam, dummy, electric, cable, horse, or other railroad company, whether the same shall be incorporated under any general or special law of the state, now or hereafter in force, except upon petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes, and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of the mile, if any, in excess of the whole miles, measuring from the initial point named in such petition, of such street or of the part thereof sought to be used for railroad purposes.

Ninety-first—To tax, license and regulate auctioneers,

distillers, brewers, lumber yards, livery stables, public scales, money changers and brokers.

Ninety-second—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses.

Ninety-third—To regulate and prohibit the keeping of any lumber yard, and the placing or piling or selling any lumber, timber, wood or other combustible material, within the fire limits of the city.

Ninety-fourth—To provide by ordinance, that all the paper, printing, stationery, blanks, fuel, and all the supplies needed for the use of the city, shall be furnished by contract let to the lowest bidder.

Ninety-fifth—To tax, license and regulate second-hand and junk stores, and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatsoever.

Ninety-sixth—To direct, license and control all wagons and other vehicles conveying loads within the city, or any particular class of such wagons and other vehicles, prescribe the width and tire of the same, the license fee when collected to be kept as a separate fund and used only for paying the cost and expense of street or alley improvement or repair.

Ninety-seventh—To pass all ordinances, rules, and make all regulations, proper or necessary, to carry into effect the powers granted to cities or villages, with such fines or penalties as the City Council or board of trustees shall deem proper: Provided, no fine or penalty shall exceed \$200.00, and no imprisonment shall exceed six months for one offense. (As amended by an act approved and in force December 1, 1907.)

§ 2. *Power to License, Tax, Etc.—Itinerant Mer-*

chants, Etc. That the City Council in cities, and the president and board of trustees in villages and incorporated towns, shall have power to license, tax, regulate, suppress or prohibit itinerant merchants and transient vendors of merchandise.

§ 3. *Persons in Charge of Steam Boilers—License—Penalty.* That the City Council in cities, and the president and board of trustees in towns and villages, shall have power to adopt ordinances within their respective limits, to provide for the examination, licensing and regulation of persons having charge of steam boilers under steam pressure, exhausting through an engine, to fix the amount, terms and manner of issuing and revoking licenses to such persons; to provide that it shall not be lawful for any person to exercise, within the limits of the respective cities, towns and villages which may adopt such ordinances, the business of operating steam boilers, under steam pressure, exhausting through an engine, without a license; and to provide that any person violating the provisions of such ordinances shall be liable to a penalty for each breach thereof.

§ 4. *Board to Examine—License, Etc.* To require that all persons engaged in such occupation within the jurisdiction of such towns, cities and villages so adopting such ordinances, shall submit to an examination by a competent board of examiners to be appointed by such councils and boards of trustees, touching their competency and qualifications in regard to such vocations, with power to such board of examiners to license such persons as may be found capable and trustworthy in that behalf.

§ 5. *Style of Ordinances.* The style of the ordinances in cities shall be: “Be it ordained by the City Council of _____”

§ 6. *Publication of Ordinances—When Take Effect.* All ordinances of cities and villages imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation, shall, within one month after they are passed, be pub-

lished at least once in a newspaper published in the city or village, or, if no such newspaper is published therein, by posting copies of the same in three public places in the city or village; and no such ordinance shall take effect until ten days after it is so published. And all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

§ 7. *Proof of Ordinance.* All ordinances and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation. And when printed in book or pamphlet form and purporting to be published by authority of the board of trustees or the City Council, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places without further proof.

§ 8. *Suits for Violating Ordinances.* All actions brought to recover any fine, or to enforce any penalty, under any ordinance of any city or village, shall be brought in the corporate name of the city or village as plaintiff, and no prosecution, recovery or acquittal, for the violation of any such ordinance, shall constitute a defense to any other prosecution of the same party for any other violation of any such ordinance, although the different causes of action existed at the same time, and, if united, would not have exceeded the jurisdiction of the court or magistrate.

§ 9. *Fines and Licenses—Paid to Treasurer.* All fines and forfeitures for the violation of ordinances, when collected, and all moneys collected for licenses or otherwise, shall be paid into the treasury of the corporation, at such times and in such manner as may be prescribed by ordinance.

§ 10. *Summons—Affidavit—Punishment.* In all actions for the violation of any ordinance, the first process shall be a summons: Provided, however, that a warrant for the arrest of the offender may issue in the first instance

upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the party charged is guilty thereof; and any person arrested upon such warrant, shall, without unnecessary delay, be taken before the proper officer to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed, may, upon the order of the court or magistrate before whom the conviction is had, be committed to the county jail or the calaboose, city prison, work house, house of correction, or other place provided by the city or village for the incarceration of offenders, until such fine, penalty and cost shall be fully paid. Provided, that no such imprisonment shall exceed six months for any one offense. The City Council or board of trustees shall have power to provide by ordinance, that every person so committed shall be required to work for the corporation, at such labor as his or her strength will permit, within and without such prison, work house, house of correction, or other place provided for the incarceration of such offenders, not exceeding ten hours each working day; and for such work the person so employed to be allowed, exclusive of his or her board, \$2 for each day's work on account of such fine and cost.

§ 11. *Jurisdiction of Justices, Etc.* Any and all justices of the peace and police magistrates shall have jurisdiction in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof.

§ 12. *Constable or Sheriff May Serve Process, Etc.* Any constable or sheriff of the county may serve any process, or make any arrest authorized to be made by any city officer.

§ 13. *Jurisdiction Over Waters—Street Labor.* The city or village government shall have jurisdiction upon all waters within or bordering upon the same, to the extent of three miles beyond the limits of the city or village, but not to exceed the limits of the state; and may, by ordinance, require every able-bodied male inhabitant of such city or

village above the age of twenty-one years and under the age of fifty years (excepting paupers, idiots, lunatics, and such others as are exempt by law) to labor on the streets and alleys of such city or village, not more than three days in each year, but such ordinance shall provide for commutation of such labor at not more than one dollar and fifty cents per day. (As amended by act approved April 10, 1875.)

ARTICLE VI.

OFFICERS—THEIR POWERS AND DUTIES.

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| § 1. Officers. | §15. Compensation of mayor. |
| 2. Other officers — duties of city marshal. | 16. Compensation of aldermen and trustees. |
| 3. Appointment—vacancies—duties—powers. | 17. Compensation of other officers. |
| 4. Oath—bond. | 18. When to be fixed—not to be changed during term. |
| 5. Commission — certificate—delivery to successor. | 19. Administration oaths. |
| 6. Qualification of officers. | 20. Aldermen not to hold other office. |
| 7. Not interested in contracts. | 21. Officer not to be interested in city contracts. |
| 8. Bribery—penalty. | 22. Penalty. |
| 9. Mayor, etc., not to hold other office. | 23. Licensing houses of ill-fame. |
| 10. Duties of Clerk. | 24. Police Magistrate. |
| 11. Record of Ordinances. | 25. Old soldiers to peddle without a license. |
| 12. Conservators of peace — powers. | 26. Clerk to issue license. |
| 13. What shall be a police district. | |
| 14. Police to suppress riot, etc.—duty of mayor. | |

§ 1. *Officers.* There shall be elected, in all cities organized under this act, the following officers, viz.: A mayor, a city council, a city clerk, city attorney, and a city treasurer.

§ 2. *Other Officers—Duties of City Marshal.* The City Council may, in its discretion, from time to time, by ordinance passed by a vote of two-thirds of all the aldermen elected, provide for the election by the legal voters of the city, or the appointment by the mayor, with the ap-

proval of the City Council, of a city collector, a city marshal, a city superintendent of streets, a corporation counsel, a city comptroller, for any, or either of them, and such other officers as may by said council be deemed necessary or expedient. The City Council may by a like vote, by ordinance or resolution, to take effect at the end of the then fiscal year, discontinue any office so created, and devolve the duties thereof on any other city officer; and no officer filling any such office so discontinued, shall have any claim against the city on account of his salary, after such discontinuance. The city marshal shall perform such duties as shall be prescribed by the City Council for the preservation of the public peace, and the observance and enforcement of the ordinances and laws; he shall possess the power and authority of a constable at common law, and under the statutes of this state.

§ 3. *Appointments—Vacancies—Duties—Powers.* All officers of any city, except where herein otherwise provided, shall be appointed by the mayor (and vacancies in all offices except the mayor and aldermen shall be filled by like appointment) by and with the advice and consent of the City Council. The City Council may, by ordinance not inconsistent with the provisions of this act, prescribe the duties and define the powers of all such officers, together with the term of any such office. Provided, the term shall not exceed two years.

§ 4. *Oath—Bonds.* All officers of any city or village, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of _____ according to the best of my ability.

Which oath or affirmation, so subscribed, shall be filed in the office of the clerk. And all such officers, except aldermen and trustees, shall, before entering upon the duties of

their respective offices, execute a bond with security, to be approved by the City Council or board of trustees, payable to the city or village, in such penal sum as may be, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the ordinances of said city or village: Provided, however, that in no case shall the mayor's bond be fixed at a less sum than three thousand dollars (\$3,000); nor shall the treasurer's bond be fixed at a less sum than the amount of the estimated tax and special assessments for the current year—which bond shall be filed with the clerk (except the bond of the clerk, which shall be filed with the treasurer.)

§ 5. *Commission—Certificate—Delivery to Successors.* All officers elected or appointed under this act (except the clerk, aldermen and mayor, and trustees) shall be commissioned by warrant, under the corporate seal, signed by the clerk and mayor or presiding officer of the city council or board of trustees. The mayor or president of the board of trustees shall issue a certificate of appointment or election, under the seal of the corporation, to the clerk thereof, and any person having been an officer of the city or village, shall, within five days after notification and request, deliver to his successor in office all property, books and effects of every description in his possession, belonging to the city or village, or appertaining to his said office; and upon his refusal to do so, shall be liable for all the damages caused thereby, and to such penalty as may by ordinance be prescribed.

§ 6. *Qualification of Officers.* No person shall be eligible to any office who is not a qualified elector of the city or village, and who shall not have resided therein at least one year next preceding his election or appointment, nor shall any person be eligible to any office who is a defaulter to the corporation.

§ 7. *Not interested in Contracts, Etc.* No officer shall be directly or indirectly interested in any contract, work or business of the city, or the sale of any article, the expense,

price or consideration of which is paid from the treasury, or by any assessment levied by any act or ordinance; nor in the purchase of any real estate or other property belonging to the corporation, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said corporation.

§ 8. *Bribery—Penalty.* Every person who shall promise, offer or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish, or agree to furnish, in whole or part, to be promised, offered or given, to any member of the City Council or board of trustees, or any officer of the corporation, after or before his election or appointment as such officer, any moneys, goods, right in action, or other property or anything of value, or any pecuniary advantage, present or prospective, with intent to influence his vote, opinion, judgment or action on any question, matter, cause or proceeding which may be then pending, or may by law be brought before him in his official capacity, shall upon conviction, be imprisoned in the penitentiary for a term not exceeding two years, or shall be fined not exceeding \$5,000, or both, in the discretion of the court. Every officer who shall accept any gift or promise, or undertaking to make the same under any agreement or understanding that his vote, opinion, judgment or action shall be influenced thereby, or shall be given in any question, matter, cause or proceeding then pending, or which may by law, be brought before him in his official capacity, shall upon conviction, be disqualified from holding any public office, trust or appointment under the city or village, and shall forfeit his office, and shall be punished by imprisonment in the penitentiary not exceeding two years, or by fine not exceeding \$5,000, or both, in the discretion of the court. Every person offending against either of the provisions of this section, shall be a competent witness against any other person offending in the same transaction, and may be compelled to appear and give evidence before any grand jury or in any court in the same manner as other persons; but the testimony so given

shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying.

§ 9. *Mayor, Etc., not to Hold Other Office.* No Mayor, Alderman, City Clerk or Treasurer, shall hold any other office under the city government during his term of office.

§ 10. *Duties of Clerk.* The clerk shall keep the corporate seal, to be provided under the direction of the city council or board of trustees, and all papers belonging to the city or village; he shall attend all meetings of the City Council or board of trustees, and keep a full record of its proceedings in the journal, and copies of all papers duly filed in his office, and transcripts from the journals and other records and files of his office, certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.

§ 11. *Record of Ordinances.* The clerk shall record, in a book to be kept for that purpose, all ordinances passed by the City Council or board of trustees, and at the foot of the record of each ordinance, so recorded, shall make a memorandum of the date of the passage and of the publication or posting of such ordinance, which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and legal publication or posting of such ordinances for all purposes whatsoever.

§ 12. *Conservators of the Peace—Powers of.* The trustees in villages, the mayor, aldermen and the marshal and his deputies, policemen and watchmen in cities, if any such be appointed, shall be conservators of the peace, and all officers created conservators of the peace by this act, or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace or be found violating any ordinance of the city or village or any criminal law of the state, commit for examination, and, if necessary, detain such persons in custody over night or Sunday in the watch house or any other safe place, or until they can be brought before

the proper magistrate, and shall have and exercise such other powers as conservators of the peace as the City Council or board of trustees may prescribe. All warrants for the violation of ordinances, and all other criminal warrants to whomsoever directed, may be served and executed within the corporate limits of any such city or village by any policeman of such city or village; such policeman being hereby clothed with all the common law and statutory power of constables for such purposes. (As amended by act approved June 14, 1883. In force July 1, 1883.)

§ 13. *What shall be a Police District.* That the territory which is embraced within the limits of adjoining cities, villages and incorporated towns, within any county in this state, shall be a police district.

§ 14. *Police May Go Into Any Part of Such District to Suppress Riot, Etc.—Duty of Mayor.* It shall be lawful for the police of any city, village or incorporated town in such district to go into any part of such district to suppress riot, to preserve the peace and protect the lives, rights and property of citizens, and for such purposes it shall be the duty of the mayor of any city, the president or the president and board of trustees of any village or incorporated town in such district, and the chiefs of police therein to use the police forces under their control anywhere in such district.

§ 15. *Compensation of Mayor.* The mayor of any city shall receive such compensation as the city council may by ordinance direct, but his compensation shall not be changed during his term of office.

§ 16. *Compensation of Aldermen and Trustees.* The aldermen and trustees shall receive such compensation for their services as shall be fixed by the ordinances: Provided, however, that in cities of less than 350,000 inhabitants such compensation shall not exceed the sum of three dollars to each alderman for each meeting of the city council or board of trustees actually attended by him; in cities of more than 350,000 inhabitants such compensation shall

not exceed the sum of thirty-five hundred dollars per annum for each alderman, and in villages the compensation to trustees shall not exceed the sum of one dollar and fifty cents for each meeting of the board of trustees actually attended by such trustees. No other salary or compensation shall be allowed any alderman or trustee: Provided, further, that this act shall apply to all cities, towns and villages in this state, whether incorporated under a general or special law, and that in all such villages and incorporated towns, the trustees thereof shall receive compensation for not more than one meeting in each week.

§ 17. *Compensation of Other Officers.* All other officers may receive a salary, fees or other compensation to be fixed by ordinance, and after the same has been once fixed, such fees or compensation shall not be increased or diminished, to take effect during the term for which any such officer was elected or appointed; and every such officer shall make and return to the mayor or president of the board of trustees, a semi-annual report, verified by affidavit, of all such fees and emoluments received by him.

§ 18. *When to be Fixed—Not Changed During Term.* It shall and may be lawful for the common council or legislative authority of any city in this state to establish and fix the amount of salary to be paid any and all city officers, as the case may be, except members of such legislative body, in the annual appropriation bill or ordinance made for the purpose of providing for the annual expenses of any such city, or by some ordinance prior to the passage of such annual appropriation bill or ordinance; and the salaries or compensation thus fixed or established, shall neither be increased nor diminished by the said common council or legislative authority of any such city, after the passage of said annual appropriation bill or ordinance, during the year for which such appropriation is made, and no extra compensation shall ever be allowed to any such officer or employe over and above that provided in manner aforesaid.

§ 19. *Administering Oaths.* The mayor of any city,

and the clerk of any city or village, shall have the power to administer oaths and affirmations upon all lawful occasions.

§ 20. *Aldermen of Cities—Trustees of Villages.* That it shall be and is hereby declared unlawful for any alderman of any city, or member of the board of trustees of any village of this state, during the term of office, for which he is elected, to accept or be appointed to or hold any office, by the appointment of the mayor or president of the board of trustees, thereof; and any and all such election or appointment shall be absolutely null and void.

§ 21. *Not to be Interested in Contracts—Not to Act as Attorney to Procure—Bribery.* It shall not be lawful for any person, now or hereafter holding any office, either by election or appointment, under the constitution of this State, to become in any manner interested, either directly or indirectly, in his own name or in the name of any other person or corporation, in any contract, or the performance of any work in the making or letting of which such officer may be called upon to act or vote. And it shall not be lawful for any such officer to represent, either as agent or otherwise, any person, company or corporation, in respect of any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor shall any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value, as gift or bribe, or a means of influencing his vote or action in his official character; and any and all contracts made and procured in violation hereof, shall be null and void.

§ 22. *Penalty.* Any alderman, member of the board of trustees, supervisor or county commissioner, or person now or hereafter holding office, either by election or appointment under the constitution of this state, or any law now or hereafter in force in this state, who shall violate any of the provisions of the preceding sections, shall be deemed guilty of a misdemeanor, and on conviction thereof may be punished by confinement in the penitentiary for a

term not less than one year nor more than five years or fined in a sum not less than \$200, nor more than \$1,000, or both, in the discretion of the court before which such conviction shall be had; and in addition thereto, any office or official position held by any person or persons so convicted shall, by the fact of such conviction, become vacant, and shall be so declared as part of the judgment of court; and the person or persons so convicted shall be disqualified from holding any office or position of trust and confidence in this state for the period of two years from and after the date of such conviction.

§ 23. *Licensing and Medical Inspection of Houses of Ill-Fame Forbidden.* That it shall be unlawful for the corporate authorities of any city, town or village in this state to grant a license to any person, male or female, to keep what is known as a house of ill-fame or house of prostitution. And it shall be unlawful for any board of health (or any member or employee of the same) now existing, or which may hereafter exist under the laws of this state, to interfere in the management of any house of ill-fame or house of prostitution, or to provide in any manner for the medical inspection or examination of any inmate of the same.

§ 24. *Election and Term of Office of Police Magistrate—Jurisdiction.* That all towns, cities and villages in the state which have been incorporated under charters granted by special acts, or under a general act, when the law under which they are incorporated does not authorize the election of a police magistrate, be and they are hereby authorized to elect one police magistrate at the first annual election of town, city or village officers that shall occur after the passage of this act, and quadrennially thereafter. Such police magistrates shall hold their offices for the same term, be commissioned and qualified, and have the same jurisdiction and fees, as police magistrates of villages have under the general law for the incorporation of cities and villages: Provided, that in all cities, towns and villages in this state

where a police magistrate is now elected at a time when regular city election is held for other city offices, the police magistrate elected at the last election shall hold his office until the next regular election of city officers, which such police magistrate has been elected, and such cities be, and they are hereby authorized to elect one police magistrate at the first regular election for city officers which shall occur after the expiration of the term of office for which the magistrate now holding office is elected, and every four years thereafter.

§ 25. *Ex-Union Soldier or Sailor May Peddle Goods, Etc., Without License.* That on and after the passage of this act all ex-Union soldiers and sailors honorably discharged from the military or marine service of the United States, shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law in any county, town, village, incorporated city or municipality within this state without a license: Provided, said soldier or sailor is engaged in the vending, hawking and peddling of said goods, wares, fruits or merchandise for himself only.

§ 26. *Clerk to Issue License Free Upon Presentation, Etc.—Penalty for Violating of Act.* Upon the presentation of his certificate of discharge to the clerk of any county, town, village, incorporated city or municipality in this state, and showing proofs of his identity as the person named in his certificate of honorable discharge, the clerk shall issue to said ex-Union soldier or sailor a license, but such license shall be free, and said clerk shall not collect or demand for the county, town, village, incorporated city or municipality any fee thereof. Any clerk of any county, town, village, incorporated city or municipality in this state who shall violate any of the foregoing provisions of this act, by failing or refusing to comply with such provisions, as herein directed, shall be fined in a sum not less than ten (\$10) nor more than fifty (\$50), to which may be added imprisonment in the county jail not exceeding ten (10) days.

ARTICLE VII.

OF FINANCE.

- | | |
|---------------------------------------------------------------|--------------------------------------------------------------------|
| § 1. Fiscal year. | § 14. He shall report, etc.—pub-
lication. |
| 2. Annual appropriation ordi-
nance. | 15. Not to detain money—
penalty. |
| 3. Limitation — emergency —
borrowing money. | 16. Examination of books—
paying over. |
| 4. Contracting liabilities lim-
ited. | 17. Fees of collector. |
| 5. Duties of treasurer. | 18. Further duties may be re-
quired of officers. |
| 6. Separate accounts. | 19. Appeal to finance commit-
tee. |
| 7. Receipts. | 20. Who may appoint subor-
dinates. |
| 8. Monthly statements—war-
rants—vouchers — regis-
ter. | 21. Foreign insurance com-
panies — license, etc. —
penalty. |
| 9. Deposit of funds—separate
from his. | 22. Pensioning members of
fire insurance patrol,
etc. |
| 10. Treasurer's annual report
—publication. | 23. Penalty for violating this
act. |
| 11. Warrants. | |
| 12. Special assessment funds
kept separate. | |
| 13. City collector—duties. | |

§ 1. *Fiscal Year.* The fiscal year of each city or vil-
lage organized under this act shall commence at the date
established by law for the annual election of municipal offi-
cers therein, or at such other times as may be fixed by ordi-
nance.

§ 2. *Annual Appropriation Ordinance.* The City
Council of cities, and board of trustees in villages, shall,
within the first quarter of each fiscal year, pass an ordi-
nance, to be termed the annual appropriation bill, in which
such corporate authorities may appropriate such sum or
sums of money as may be deemed necessary to defray all
necessary expenses and liabilities of such corporation; and
in such ordinance shall specify the objects and purposes for
which such appropriations are made, and the amount ap-
propriated for each object or purpose. No further approp-
riations shall be made at any other time within such fiscal
year, unless the proposition to make each appropriation has
been first sanctioned by a majority of the legal voters of

such city or village, either by a petition signed by them, or at a general or special election duly called therefor.

§ 3. *Limitation — Emergency — Borrowing Money.* Neither the City Council nor board of trustees, nor any department or officer of the corporation, shall add to the corporation expenditures in any one year anything over and above the amount provided for in the annual appropriation bill of that year, except as is herein otherwise specially provided; and no expenditure for an improvement to be paid for out of the general fund of the corporation shall exceed, in any one year, the amount provided for such improvement in the annual appropriation bill: Provided, however, that nothing herein contained shall prevent the City Council or board of trustees from ordering by a two-thirds vote, any improvement, the necessity of which is caused by any casualty or accident happening after such annual appropriation is made. The City Council or board of trustees may, by a like vote, order the Mayor or president of the board of trustees and finance committee to borrow a sufficient amount to provide for the expense necessary to be incurred in making any improvements, the necessity of which has arisen as is last above mentioned, for a space of time not exceeding the close of the next fiscal year—which sum, and the interest, shall be added to the amount authorized to be raised in the next general tax levy, and embraced therein. Should any judgment be obtained against the corporation, the Mayor, or president of the board of trustees and finance committee, under the sanction of the City Council or board of trustees, may borrow a sufficient amount to pay the same, for a space of time not exceeding the close of the next fiscal year—which sum and interest shall, in like manner, be added to the amount authorized to be raised in the general tax levy of the next year, and embraced therein.

§ 4. *Contracting Liabilities Limited.* No contract shall be hereafter made by the City Council or board of trustees, or any committee or member thereof; and no expense shall be incurred by any of the officers or departments of the corporation, whether the object of the ex-

penditure shall have been ordered by the City Council or board of trustees or not, unless an appropriation shall have been previously made concerning such expense, except as herein otherwise expressly provided.

§ 5. *Duties of Treasurer.* The treasurer shall receive all moneys belonging to the corporation, and shall keep his books and accounts in such manner as may be prescribed by ordinance, and such books and accounts shall always be subject to the inspection of any member of the City Council or board of trustees.

§ 6. *Separate Accounts.* He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

§ 7. *Receipts.* He shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and upon what account paid; and he shall also file copies of such receipts with the clerk, at the date of his monthly reports.

§ 8. *Monthly Statements—Warrants—Vouchers—Register.* The treasurer shall, at the end of each and every month, and oftener if required, render an account to the City Council or the board of trustees, or such officer as may be designated by ordinance (under oath), showing the state of the treasury at the date of such account, and the balance of money in the treasury. He shall also accompany such accounts with a statement of all moneys received into the treasury, and on what account, together with all warrants redeemed and paid by him; which said warrants, with any and all vouchers held by him, shall be delivered to the clerk, and filed with his said account in the clerk's office, upon every day of such settlement. He shall return all warrants paid by him stamped or marked "paid." He shall keep a register of all warrants redeemed and paid, which shall describe such warrants, and show the date, amount, number, the fund from which paid, the name of the person to whom and when paid.

§ 9. *Deposit of Funds—Separate From His.* The treasurer may be required to keep all moneys in his hands, belonging to the corporation, in such place or places of deposit as may be designated by ordinance. Provided, however, no such ordinance shall be passed by which the custody of such money shall be taken from the treasurer and deposited elsewhere than in some regularly organized bank, nor without a bond to be taken from such bank, in such penal sum and with such security as the City Council, or board of trustees shall direct and approve, sufficient to save the corporation from any loss; but such penal sum shall not be less than the estimated receipts for the current year from taxes and special assessments levied, or to be levied, by the corporation. The treasurer shall keep all moneys belonging to the corporation in his hands separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office by the City Council or board of trustees, who are hereby authorized to declare said office vacant; and in which case his successor shall be appointed, who shall hold his office for the remainder of the term unexpired of such officer so removed.

§ 10. *Treasurer's Annual Report—Publication.* The treasurer shall report to the City Council or board of trustees, as often as required, a full and detailed account of all receipts and expenditures of the corporation, as shown by his books, up to the time of said report; and he shall, annually, between the first and tenth of April, make out and file with the clerk a full and detailed account of all such receipts and expenditures, and of all his transactions, as such treasurer, during the preceding fiscal year, and shall show in such accounts the state of the treasury at the close of the fiscal year; which account the clerk shall immediately

cause to be published in a newspaper printed in such city, if there be one, and if not, then by posting the same in a public place in the clerk's office.

§ 11. *Warrants.* All warrants drawn upon the treasurer must be signed by the Mayor and countersigned by the clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be otherwise paid than upon such warrants so drawn, except as hereinafter provided.

§ 12. *Special Assessment Funds Kept Separate.* All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse such corporation for money expended for such improvement.

CITY COLLECTOR.

§ 13. *His Duties.* It shall be the duty of the collector, when one is appointed, to preserve all warrants which are returned into his hands, and he shall keep such books and his accounts in such manner as the City Council may prescribe. Such warrants, books and all papers pertaining to his office, shall at all times be open to the inspection of and subject to the examination of the mayor, city clerk, any member of the Council, or committee thereof. He shall weekly, and oftener if required by the Council, pay over to the treasurer all moneys collected by him from any source whatever, taking such treasurer's receipt therefor, which receipt he shall immediately file with the city clerk; but the city clerk shall, at the time, or on demand, give such tax collector a copy of any such receipt so filed.

§ 14. *He Shall Report, Etc.—Publication.* He shall make a report in writing to the Council, or any officer designated by the Council, of all moneys collected by him, the account whereon collected, or of any other matter in con-

nection with his office, when required by the Council or by any ordinance of the city. He shall also, annually, between the first and tenth of April, file with the clerk a statement of all the moneys collected by him during the year, the particular warrant, special assessment or account on which collected, the balance of moneys uncollected on all warrants in his hands, and the balance remaining uncollected at the time of the return on all warrants which he shall have, returned during the preceding fiscal year, to the city clerk. The city clerk shall publish or post the same, as hereinbefore required to be done in regard to the annual report of the treasurer.

§ 15. *Not to Detain Money—Penalty.* The collector is hereby expressly prohibited from keeping the moneys of the city in his hands, or in the hands of any person or corporation, to his use, beyond the time which may be prescribed for the payment of the same to the treasurer, and any violation of this provision will subject him to immediate removal from office.

§ 16. *Examination of His Books—Paying Over.* All the city collector's papers, books, warrants and vouchers may be examined at any time by the mayor or clerk, or any member of the City Council; and the collector shall every two weeks or oftener if the City Council so direct, pay over all money collected by him from any person or persons, or associations, to the treasurer, taking his receipt therefor in duplicate, one of which receipts he shall at once file in the office of the clerk.

§ 17. *Fees of Collectors.* Collectors in cities or incorporated towns, in counties of the first and second classes, shall receive such fees as may be prescribed by the common council or board of trustees of their respective cities or incorporated towns, not exceeding in any case two per cent of the amount collected by them.

GENERAL PROVISIONS.

§ 18. *Further Duties May be Required.* The collector and treasurer, and all other officers connected with the receipt and expenditure of money, shall perform such other duties, and be subject to such other rules and regulations as the City Council or board of trustees may, from time to time, by ordinance, provide and establish.

§ 19. *Appeal to Finance Committee.* In the adjustment of the accounts of the collector or treasurer with the clerk (or comptroller if there shall be one), there shall be an appeal to the finance committee of the Council or board of trustees, whose decision in all matters of controversy arising between said officers shall be binding, unless the City Council or board of trustees shall otherwise direct and provide.

§ 20. *Who May Appoint Subordinates.* The comptroller (if there shall be one), the clerk, treasurer and collector, shall, severally, appoint such various clerks and subordinates in their respective offices as the City Council or board of trustees may authorize, and shall be held, severally, responsible for the fidelity of all persons so appointed by them.

§ 21. *Foreign Fire Insurance Companies to Pay Tax or License Fee—Penalty.* All corporations, companies and associations not incorporated under the laws of this state, and which are engaged in any city, town or village organized under any general or special law of this state in effecting fire insurance, shall pay to the treasurer of the city, town or village for maintenance, use and benefit of the fire department thereof, a sum not exceeding two per cent (2%) of the gross receipts received by their agency in such city, town or village, fifty per cent (50%) of the amount so collected to be set apart and appropriated to the fund for the pensioning of disabled and superannuated members of the fire department, and of the widows and orphans of deceased members of the fire department of

cities, villages or incorporated towns whose population exceeds fifty thousand (50,000) and having a paid fire department. Cities, towns and villages are hereby empowered to prescribe by ordinances the amount of tax or license fee to be fixed, not in excess of the above rate, and at that rate such corporations, companies and associations shall pay upon the amount of all premiums, which during the year on every first day of July shall have been received for any insurance effected or agreed to be effected in the city, town or village, by or with such corporation, companies or association respectively.

§ 22. *Pensioning Members of Fire Insurance Patrol, Etc.* Every person who shall act in any city, town or village as agent or otherwise, for or on behalf of such corporation, company or association shall, on or before the 15th day of July of each and every year, render to the city, town or village clerk, a full, true and just account, verified by his oath, of all the premiums which, during the year ending on every first day of July preceding such report, shall have been received by him, or any other person for him in behalf of any such corporation, company or association, and shall specify in said report the amounts received for fire insurance.

Such agent shall also pay to the treasurer of any such city, town or village, at the time of rendering the aforesaid report, the amount of rates fixed by the ordinance of the said cities, towns or villages, for which the companies, corporations or associations represented by them are severally chargeable by virtue of this act, and the ordinance passed in pursuance thereof. If such account be not rendered on or before the day herein designated for that purpose, or if the said rates shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default, to transact any business or insurance in any such city, town or village until the said requisition shall have been fully complied with; but this provision shall not relieve any company, corporation or association from

the payment of any risk that may be taken in violation hereof.

§ 23. *Penalty for Violating This Act.* Any person or persons violating any of the provisions of this act shall be subject to indictment, and upon conviction thereof in court of competent jurisdiction, shall be fined in any sum not exceeding one thousand (\$1,000) dollars or imprisoned in the county jail not exceeding six (6) months, either or both, in the discretion of the court. The amount of said tax or license fee may also be recovered of said corporation, company or association, or its agent, by an action in the name and for the use of any such city, town or village as for money had and received. Provided, that this act shall only apply to such cities, towns and villages as have an organized fire department, or maintain some organization for the prevention of fires.

ARTICLE VIII.

ASSESSMENT AND COLLECTION OF TAXES.

- § 1. Ordinance levying tax—limitation.
2. Manner of collecting.
3. Time of paying over.
4. When tax levied for particular purpose.
5. Uniformity.

§ 1. *Ordinance Levying Tax—Limitation.* The City Council in cities, and boards of trustees in villages, may levy and collect taxes for corporate purposes in the manner following: The City Council or boards of trustees, as the case may be, shall annually, on or before the third (3rd) Tuesday in September, in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and by an ordinance specifying in detail the purposes for which such appropriations are made, and the sum or amount appropriated for each purpose, respectively, levy

the amount so ascertained upon all the property subject to taxation within the city or village, as the same is assessed and equalized for state and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village, as the same is assessed and equalized for state and county purposes, will produce a net amount not less than the amount so directed to be levied; and it shall be the duty of the county clerk to extend such tax in a separate column upon the book or books of the collector or collectors of state and county taxes, within such city or village. Provided, the aggregate amount of taxes levied for any one (1) year, exclusive of the amount levied for the payment of bonded indebtedness or the interest thereon, shall not exceed the rate of two (2) per centum, upon the aggregate valuation of all the property within such city or village, subject to taxation therein, as the same was equalized for state and county taxes of the preceding year. (As amended by act approved April 22, 1899.)

§ 2. *Manner of Collecting.* The tax so assessed shall be collected and enforced in the same manner and by the same officers as state and county taxes, and shall be paid over by the officers collecting the same to the treasurer of the city or village.

§ 3. *Time of Paying Over.* It shall be the duty of the officer collecting such tax to settle with and pay over to such treasurer, as often as once in two weeks from the time he shall commence the collection thereof, all such taxes as he shall then have collected, till the whole tax collected shall be paid over.

§ 4. *When Tax Levied for Particular Purpose.* Whenever any city or village is required to levy a tax for the payment of any particular debt, appropriation or liability of the same, the tax for such purpose shall be included in the total amount assessed by the City Council or board of trus-

tees, and certified to the county clerk as aforesaid; but the City Council or board of trustees shall determine in the ordinance making such assessment, what proportion of such total amount shall be applicable to the payment of such particular debt, appropriation or liability; and the city or village treasurer shall set apart such proportion of the tax collected and paid to him for the payment of such particular debt, appropriation or liability, and shall not disburse the same for any other purpose until such debt, appropriation or liability shall have been discharged.

§ 5. *Uniformity.* All taxes levied or assessed by any city or village, except special assessments for local improvements, shall be uniform upon all taxable property and persons within the limits of the city, and no property shall be exempt therefrom other than such property as may be exempt from taxation under the constitution and general laws of the state.

ARTICLE IX.

Miscellaneous Provisions.

PART 1.

ANNEXATION OF TERRITORY

§ 1 Provides for annexation of contiguous territory—petition—election—when held—annexed by ordinance—ordinance and map filed in office of the recorder of deeds—annexation of part of a city, town or village.

§ 1. That on petition, in writing, signed by a majority of the legal voters, and by a majority of the property owners, in any territory contiguous to any city or incorporated village or town, and not embraced within its limits, the City Council or board of trustees of said village, city or town (as the case may be) shall submit to a vote of the people of said city, village or town (as the case may be), at its next regular election, or a special election to be called within sixty (60) days after said petition is presented, the

question of the annexation of such proposed territory. Provided, however, that where the said petition shall be presented within ninety (90) days prior to a regular election, no special election shall be called. In case the question of such annexation shall receive a majority of all the votes cast at said election in favor thereof, the City Council or board of trustees of said city, village or town (as the case may be), shall within ninety days thereof, by ordinance, annex such territory to such city, village or town, upon filing a copy of such ordinance, with an accurate map of the territory annexed (duly certified by the mayor of the city or president of the board of trustees of the village or town) in the office of the recorder of deeds in the county where the annexed territory is situated, and having the same recorded therein. Provided, that no portion less than the whole of an incorporated city, town or village, shall be annexed to another incorporated city, town or village, except in the mode provided in this act for the annexation of the whole of an incorporated city, town or village to another city, town or village.

APPROVED May 10, 1901.

DISCONNECTION OF TERRITORY.

§ 1. Petition for disconnection of territory not laid out into city or village lots or blocks—by whom signed—filed with city clerk or president of village board—accompanied with county clerk's certificate showing payment of taxes—filed 30 days before presenting to City Council or village trustees—territory disconnected by ordinance—disconnected territory not exempt from contracted indebtedness.

§ 2. Recording ordinance disconnecting territory in recorder's office—copy of ordinance filed with county clerk.

§ 3. Courts to take judicial notice.

§ 4. Act applies in pending cases.

§ 1. That whenever the owners representing a majority of the area of land of any territory within any city or village, and being upon the border and within the boundary thereof, not laid out into city or village lots or blocks, shall petition the City Council of such city, or the trustees

of such village, praying the disconnection of such territory therefrom, such petition shall be filed with the city clerk of such city, or the president of the trustees of such village, accompanied with the certificate of the county clerk showing that all city taxes or assessments due up to the time of presenting such petition are fully paid, at least 30 days before the meeting of such City Council or trustees at which it is proposed to present such petition, and the city clerk of such city or president of the trustees of such village, shall present such petition to the City Council or trustees, as the case may be, and upon such presentation the City Council of such city or trustees of such village may, in the discretion of such City Council or trustees of such village, by ordinance, to be passed by a majority of the members elected to such City Council or board of trustees, disconnect the territory described in such petition from such city or village. Provided, however, that the territory so disconnected shall not thereby be exempted from taxation for the purpose of paying any indebtedness contracted by the corporate authorities of such city or village while such territory was within the limits thereof, and remaining unpaid, but the same shall be assessed and taxed for the purpose of paying such indebtedness the same as if such territory had not been disconnected until such indebtedness is fully paid.

§ 2. A copy of the ordinance disconnecting the territory from any city or village, certified by the clerk of such city, or president of the trustees of such village, shall be filed for record and recorded in the recorder's office of the county in which such disconnected territory is situated, and a copy of such ordinance so certified shall be filed with the clerk of the county court of the county in which such disconnected territory is situated.

§ 3. All courts in this state shall take judicial notice of cities and villages and the changes made in their territory under this act.

§ 4. This act shall apply to and effect all cases where

property has not been disconnected by such City Council or trustees of such village, whether application has been made for disconnection or not.

APPROVED May 10, 1901.

PART 2.

LANDINGS AND LEVEES.

§ 1. When landings and levies may be leased.

§ 2. What lands—when lease may take effect—definition—restriction.

§ 1. *When Landings and Levees May be Leased.* That whenever, in the opinion of the legislative authority of any incorporated city, or of the president and board of trustees of any incorporated town or village of this state, situate upon the banks of any navigable river, the lands acquired and owned by any such city, town or village, for the purpose of a public landing or public levee, are not immediately required for such purpose, then any such city, town or village may lease such parts of such landing or levee as may be thought best by the legislative authority of such city, or president and board of trustees of such town or village, for the purpose of erecting manufactories, warehouses or grain elevators thereon. Provided, no such lease shall extend beyond the period of twenty-five years from its execution.

§ 2. *What Lands—When Lease May Take Effect—Definition—Restriction.* That the right of any such city, town or village to lease any part of the land in the foregoing section, shall embrace all such lands as may have been conveyed to the same. Provided, however, no such lease shall take effect or be in force until approved by an order, resolution or ordinance of the legislative authority of such city, or president and board of trustees of such town or village. The words "legislative authority," when used in this act, shall be held to include the common council. The provisions of this act shall not apply to cities having over one hundred thousand inhabitants.

PART 3.

LIBRARIES—PUBLIC.

- § 1. Establishment of—tax—fund.
- 2. Directors.
- 3. Term of office—removal.
- 4. Vacancies—compensation.
- 5. Organization—powers of directors—funds.
- 6. Who may use library.
- 7. Report of directors.
- 8. Penalties.
- 9. Donations.

§ 1. *Establishment by City—Tax—Fund.* That the City Council of each incorporated city, whether organized under the general law or special charter, shall have power to establish and maintain a public library and reading room for the use and benefits of the inhabitants of such city, and may levy a tax not to exceed two mills on the dollar annually on all the taxable property in the city. Provided, that in cities of over one hundred thousand inhabitants after the year 1895, such tax shall not exceed one-half of a mill on the dollar annually—such tax to be levied and collected in like manner with the general taxes of said city, and to be known as the library fund. Provided, that the said annual library tax in cities of over fifteen hundred inhabitants shall not be included in the aggregate amount of taxes as limited by section one (1) of article eight (8) of “An act for the incorporation of cities and villages,” approved April 10, 1872, and the amendatory acts thereto, or by any provision of any special charter under which any city in this state is now organized. (As amended by act approved December 24, 1907.)

§ 2. *Directors.* When any City Council shall have decided to establish and maintain a public library and reading room, under this act, the Mayor of such city shall, with the approval of the City Council, proceed to appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office; and not more than one member of the City Council shall be at any one time a member of said board.

§ 3. *Term of Office—Removed.* Said directors shall hold office one-third for one year, one-third for two years, and one-third for three years, from the first of July following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the Mayor shall, before the first of July of each year, appoint as before three directors, to take the place of the retiring directors, who shall hold office for three years, and until their successors are appointed. The Mayor may, by and with the consent of the City Council, remove any director for misconduct or neglect of duty.

§ 4. *Vacancies—Compensation.* Vacancies in the board of directors occasioned by removals, resignation, or otherwise shall be reported to the City Council and be filled in like manner as original appointments, and no director shall receive compensation as such.

§ 5. *Organization — Powers of Directors — Funds.* Said directors shall, immediately after appointment, meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library and reading room as may be expedient, not inconsistent with this act. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose. Provided, that all moneys received for such library shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said city upon the properly authenticated vouchers of the library board. Said board shall have power to purchase or lease grounds to occupy, lease or erect an appropriate building or buildings for the use of said library; shall have power to appoint

a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees; and shall, in general, carry out the spirit and intent of this act, in establishing and maintaining a public library and reading room.

§ 6. *Who May Use Library.* Every library and reading-room established under this act, shall be forever free to the use of the inhabitants of the city where located, always subject to such reasonable rules and regulations as the library board may adopt, in order to render the use of said library and reading room of the greatest benefit to the greatest number; and said board may exclude from the use of said library and reading room any and all persons who shall willfully violate such rules. And said board may extend the privileges and use of such library and reading room to persons residing outside of such city in this state, upon such terms and conditions as said board may from time to time by its regulations prescribe. (As amended by act approved March 27, 1874. In force July 1, 1874.)

§ 7. *Report of Directors.* The said board of directors shall make, on or before the second Monday in June, an annual report to the City Council, stating the condition of their trust on the first day of June of that year, the various sums of money received from the library fund and from other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand, the number added by purchase, gift, or otherwise, during the year; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character and kind of such books; with such other statistics, information and suggestions as they may deem of general interest. All such portions of said report as relate to the receipt and expenditure of money as well (as) the number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.

§ 8. *Penalties.* The City Council of said city shall have power to pass ordinances imposing suitable penalties

for the punishment of persons committing injury upon such library or the grounds or other property thereof, and for injury to or failure to return any book belonging to such library.

§ 9. *Donations.* Any person desiring to make donations of money, personal property or real estate for the benefit of such library, shall have the right to vest the title to the money or real estate so donated in the board of directors created under this act, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property the said board shall be held and considered to be special trustees.

PART 4.

LIQUOR LAW.

- § 1. Dram shop defined.
- 2. Selling liquor without a license.
- 3. How license may be granted.
- 4. License granted by County Board.
- 5. License to sell malt liquors.
- 6. Form of license.
- 7. Bond.
- 8. Enforcement of ordinances on boats.
- 9. Admission of minors to saloons.
- 10. Penalty.

AN ACT to provide for the licensing of and against the evils arising from the sale of intoxicating liquors. (Approved March 30, 1874. In force July 1, 1874.)

§ 1. *Dram Shop Defined.* That a dram shop is a place where spirituous or vinous or malt liquors are retailed by less quantity than one gallon, and intoxicating liquors shall be deemed to include all such liquors within the meaning of this act.

§ 2. *Selling Liquor Without a License.* Whoever, not having a license to keep a dram shop, shall, by himself or another, either as principal, clerk or servant, directly or indirectly, sell any intoxicating liquor in any less quantity

than one gallon, or in any quantity to be drank upon the premises, or in or upon any adjacent room, building, yard, premises or place of public resort, shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) or imprisoned in the county jail not less than ten nor more than thirty days, or both in the discretion of the court.

§ 3. *How License May be Granted.* That hereafter it shall not be lawful for the corporate authorities of any city, town or village in this state, to grant a license for the keeping of a dram-shop, except upon the payment, in advance, into the treasury of the city, town or village granting the license, such sum as may be determined by the respective authorities of such city, town or village, not less than at the rate of five hundred dollars (\$500) per annum. Provided, that in all cases when a license for the sale of malt liquors only is granted, the city, town or village granting such license, may grant the same on the payment, in advance, of the sum of not less than at the rate of one hundred and fifty dollars (\$150) per annum: And, provided further, that the City Councils in cities, the board of trustees in towns, and president and board of trustees in villages, may grant permits to pharmacists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, under such restrictions and regulations as may be provided by ordinance.

§ 4. *License Granted by County Board.* The county boards of each county may grant licenses to keep so many dram-shops in their county as they may think the public requires, upon the application, by petition, of a majority of the legal voters of the town, if the county is under township organization, and if not under township organization, then a majority of the legal voters of the election precinct or district where the same is proposed to be located, and upon payment into the county treasury of such sums as the board may require, not less than five hundred dollars (\$500) per annum for each license; and upon compliance with the pro-

visions of an act entitled, "An act to provide for the licensing of, and against the evils arising from the sale of intoxicating liquors," approved March 3, 1874, in force July 1, 1874. Provided, that in all cases where a license is granted for the sale of malt liquors only, such board may grant the same, upon payment into the county treasury, of a sum not less than one hundred and fifty dollars (\$150) per annum for each license. Provided further, such board shall not have power to issue any license to keep a dram-shop in any incorporated city, town or village, or within two miles of the same, in which the corporate authorities have authority to license, regulate, restrain or prohibit the sale of liquors, or in any place where the sale of liquors is prohibited by law.

§ 5. *License to Sell Malt Liquors—Penalty for Selling Other Liquors.* Any person having a license to sell malt liquors only, who shall by himself or another, either as principal, clerk or servant, directly or indirectly, sell or give any intoxicating liquors, other than malt liquors in a less quantity than one gallon, or in any quantity to be drank upon the premises, or in or upon any adjacent room, building yard or place of public resort, shall for each offense be fined not less than twenty dollars, nor more than one hundred dollars, or confined in the county jail not less than ten nor more than thirty days, or both, in the discretion of the court. The penalties provided for in this section may be enforced by indictment or information in any court of competent jurisdiction, or the fine only may be sued for and recovered before any justice of the peace of the proper county, and in case of conviction, the offender shall stand committed to the county jail until the fine and costs are fully paid. A conviction under this section shall forfeit the license held by the defendant and the court rendering judgment upon such conviction shall in such judgment declare a forfeiture of such license.

§ 6. *Form of License—Rights Under—May be Revoked.* The license shall state the time for which it is

granted, which shall not exceed one year, the place where the dram shop is to be kept, and shall not be transferable, nor shall the person licensed keep a dram shop at more than one place at the same time, and any license granted may be revoked by the county board whenever they shall be satisfied that the person licensed has violated any of the provisions of this act, or keeps a disorderly or ill-governed house or place of resort for idle or dissolute persons, or allows any illegal gaming in his dram shop, or any house or place adjacent thereto.

§ 7. *Bond—How Taken—Suit on.* No person shall be licensed to keep a dram shop, or to sell intoxicating liquors, by any county board or the authorities of any city, town or village, unless he shall first give bond in the penal sum of \$3,000 payable to the people of the State of Illinois, with at least two good and sufficient sureties, free holders of the county in which the license is to be granted, to be approved by the officer who may be authorized to issue the license, conditioned that he will pay to all persons all damages that they may sustain, either in person or property, or means of support by reason of the person so obtaining a license selling or giving away intoxicating liquors. The officer taking such bond may examine any person offered as security upon any such bond, under oath, and require him to subscribe and swear to his statement in regard to his pecuniary ability to become such security. Any bond taken pursuant to this section may be sued upon for the use of any person, or his legal representative who may be injured by reason of the selling or giving away any intoxicating liquor by the person so licensed, or by his agent or servant.

§ 8. *To Enforce Ordinances on Boats, Etc.* That cities and towns on any river within or on the borders of this state shall have the right to extend and enforce their ordinances so as to include any boat or other floating structure which shall be kept within two miles of the city or town limits, as a place for drinking spirituous liquors, or for gaming, or for the purpose of prostitution. Provided,

no authority shall be given by this law, beyond what the law now authorizes, to interfere with any steamer or other boat, the usual business of which is the carrying of freight or passengers.

§ 9. *Admission of Minors Regulated.* That it shall be unlawful for any person, firm or corporation, as owner, agent, lessee or otherwise, that maintains or conducts any public dance hall that is adjacent or connected with any room, building, park or enclosure of any kind where such intoxicating beverages or liquors are sold, or given away, to permit any minor to enter and be and remain within such public dance hall, or be and remain upon the premises where such public dance hall is located, unless such minor is accompanied by his or her parent or parents.

§ 10. *Penalty.* Any person, firm or corporation violating section one (1) of this act shall be guilty of a misdemeanor and shall, upon conviction, be fined a sum not less than twenty-five (\$25.00) dollars for each offense. Any person falsely representing himself or herself as parent of any minor shall be guilty of a misdemeanor and shall, upon conviction be subject to the foregoing penalties.

PART 5.

PLATS.

(Approved March 21, 1874. In force July 1, 1874.)

- § 1. Laying out towns, etc.
2. Certificate of surveyor—acknowledgement—record.
3. Dedication—effect of.
4. Neglect to plant corner stone, etc.
5. Penalty for selling without plat recorded, etc.
6. Vacation of entire plat.
7. Of part of plat.
8. Cancelling plat of record.
9. Plats of highways, etc., to be made and recorded.
10. Prosecuting offenders.

§ 1. *Laying Out Towns, Etc.* Whenever the owner of lands shall wish to sub-divide the same into two or more parts for the purpose of laying out a town, or making any

addition to any city, village or town, or of re-subdividing any lots or blocks therein, he shall cause the same to be surveyed and a plat thereof to be made by the county surveyor or some other competent surveyor, which plat shall particularly describe and set forth all the streets, alleys, common or public grounds, and all the in and out lots or fractional lots or blocks within, adjoining or adjacent to the land so divided, giving the names, widths, courses and extent of all such streets and alleys, and numbering all lots and blocks by progressive numbers, giving their precise length and width. Reference shall also be made upon the plat to some known and permanent monument from which future surveys may be made, or, if such monument shall exist within convenient distance, the surveyor shall, at the same time of making his survey, plant and fix in such manner that the same shall not be moved by frost, at the corner of some public ground, or if there be none, then at the corner of some lot or block most convenient for reference, a good and sufficient stone, to be furnished by the person for whom the survey is made, and designate upon the plat the point where the same may be found.

§ 2. *Certificate of Surveyor—Acknowledgment—Record.* The plat, having been completed, shall be certified by the surveyor and acknowledged by the owner of the land, or his attorney duly authorized in the same manner as deeds of land are required to be acknowledged. The certificate of the surveyor and of acknowledgment, together with the plat shall be recorded in the recorder's office of the county in which the land is situated, and such acknowledgment and record shall have like effect and certified copies thereof and of such plat or of any plat heretofore acknowledged and certified according to law, may be used in evidence to the same extent and with like effect as in case of deeds.

§ 3. *Dedication—Effect of.* The acknowledgment and recording of such plat shall be held in law and in equity to be a conveyance in fee simple of such portions of the prem-

ises platted as are marked or noted on such plat as donated or granted to the public, or any person, religious society, corporation or body politic, and as general warranty against the donor, his heirs and representatives to such donee or grantee for their use or for the use and purposes therein named or intended, and for no other use or purpose. And the premises intended for any street, alley, way, common or other public use in any city, village or town or addition thereto, shall be held in the corporate name thereof in trust to and for the use and purposes set forth or intended.

§ 4. *Neglect to Plant Corner Stone, Etc.* Whoever shall lay out any town or make any addition to any city, village or town, or re-subdivide any lots or blocks therein, and neglect to plant any corner stone when required by this act, or shall survey the same or cause it to be surveyed in any other manner than that which is prescribed in this act, shall be fined in any sum not less than \$25 nor exceeding \$100.

§ 5. *Penalty for Selling Without Plat Recorded, Etc.* Whoever shall sell or offer for sale, or lease for any time exceeding five years, any lot or block in any town, city or village, or any addition thereto, or any re-subdivision of any lot or block therein, before all the requisitions of this act have been complied with, shall be fined \$25 for each lot or block or part thereof so disposed of, offered for sale or leased.

VACATION OF PLATS.

§ 6. *Of the Whole Plat.* Any such plat may be vacated by the owner of the premises at any time before the sale of any lot therein, by a written instrument declaring the same to be vacated, executed, acknowledged or proved, and recorded in like manner as deeds of land; which declaration being duly recorded, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described in such plat. When lots have been sold, the plat may be vacated

in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

§ 7. *Of Part of Plat.* Any part of a plat may be vacated in the manner provided in the preceding section, and subject to the conditions therein prescribed: Provided, such vacation shall not abridge or destroy any of the rights or privileges of other proprietors in such plat: And, provided, further, that nothing contained in this section shall authorize the closing or obstructing of any public highway laid out according to law.

§ 8. *Cancelling Plat of Record.* When any plat or part thereof is vacated, the recorder in whose office the plat is recorded shall, upon the recording of such vacation, write in plain letters across the plat or part so vacated the word "vacated," and shall also make a reference on the same to the volume and page in which the instrument of vacation is recorded.

PLATS TO BE RECORDED, ETC.

§ 9. *Plats of Highways, Etc., to be Made and Recorded.* Whenever any highway, road, street, alley, public ground, toll road, railroad, or canal is laid out, located, opened, widened or extended, or the location thereof altered, it shall be the duty of the commissioners, authorities, officers, persons or corporations, public or private, laying out, locating, opening, widening, extending or altering the same, to cause a plat thereof showing the width, courses and extent thereof, and making such reference to known and established corners or monuments that the location thereof may be ascertained, to be made, and recorded in the office of the recorder of the county in which the premises taken or used for the same, or any part thereof, are situated, within six months after such highway, road, street, alley, public ground, toll road, railroad or canal is laid out, located, opened, widened or extended, or the location thereof altered; and when any highway, road, street, alley, public ground, toll road, railroad or canal is vacated, the order,

ordinance or other declaration vacating the same shall be in like manner recorded. This act shall not be construed to alter or effect any law specifically providing for the recording of any such plat, or to require the same to be recorded sooner than is so specifically provided; except that any requirements to record such plat in any other place than is provided herein shall not excuse the parties from complying with this act. Whoever shall refuse or neglect to comply with this section shall forfeit \$25, and the like sum for every month he shall continue in such refusal or neglect after conviction therefor, to be recovered before any justice of the peace of the county, in the name of the county, one-half to the use of the county and the other half to the use of the person complaining.

§ 10. *Prosecuting Offenders.* Whenever it shall come to the knowledge of the recorder of deeds of any county that any of the provisions of this act have been violated, it shall be his duty to notify the state's attorney of the fact, and the state's attorney shall immediately institute suit, and prosecute the same to final judgment against the person offending.

PART 6.

PLUMBERS.

- § 1. Certificates.
- 2. Application to engage at business.
- 3. Board of examiners.
- 4. Examination of applicants—fees for certificates.
- 5. Plumbing rules and regulations.
- 6. Application—where to apply.
- 7. Violation of this act—fines.

§ 1. *Certificates.* Any person now or hereafter engaging in or working at the business of plumbing in cities or towns of 5,000 inhabitants or more in this state, either as a master plumber or employing plumber, or as a journeyman plumber shall first receive a certificate thereof in accordance with the provisions of this act.

§ 2. *Application to Engage at Business.* Any person

desiring to engage in or work at the business of plumbing, either as master plumber or employing plumber, or as a journeyman plumber, shall make application to a board of examiners hereinafter provided for, and shall, at such time and place as said board may designate, be compelled to pass such examination as to his qualifications as said board may direct; said examination may be made in whole or in part in writing, and shall be of a practical and elementary character, but sufficiently strict to test the qualifications of the applicant.

§ 3. *Board of Examiners.* That there shall be in every city, town and village of 10,000 inhabitants or more, a board of examiners of plumbers, consisting of three members, one of which shall be the chairman of the board of health, who shall be ex-officio, chairman of said board of examiners, a second member who shall be a master plumber, and a third member who shall be a journeyman plumber.

Said second and third member shall be appointed by the Mayor and approved by the Council, or the board of trustees of said town or village, within three months after the passage of this act, for the term of one year from the first day of May, in the year of appointment, and thereafter annually before the first day of May, and shall be paid from the treasury of said city, town or village, the same as other officers, in such sums as the authorities may designate.

§ 4. *Examination of Applicants—Fees for Certificates.* Said board of examiners shall, as soon as may be after the appointment, meet and shall then designate the times and places for the examination of all applicants desiring to engage in, or work at, the business of plumbing within their respective jurisdiction. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and, if satisfied of the competency of such applicant, shall thereupon issue a certificate to such applicant authorizing him to engage in, or work at the business of plumbing, whether as mas-

ter plumber or employing plumber, or as a journeyman plumber.

The fee for a certificate for a master plumber or employing plumber shall be \$50.00; for journeyman plumber it shall be \$1.00. Said certificate shall be valid and have force throughout the state for a period of one year from the date of issuance and may be renewed upon its expiration by payment in advance of an annual renewal fee of \$10.00 for the certificate of a master plumber or employing plumber and the payment in advance of an annual fee of \$1.00 for the certificate of a journeyman plumber. All fees received for said certificate shall be paid into the treasury of the city, town or village where said certificates are issued. (Approved June 14, 1909.)

§ 5. *Plumbing Rules and Regulations.* Each city, town or village in this state having a system of water supply or sewerage shall, by ordinance or by-law, within three months of the passage of this act, prescribe rules and regulations for the materials, construction, alteration and inspection of all plumbing and sewerage placed in, or in connection with, any building in such city, town or village, and the board of health, or proper authorities, shall further provide that no plumbing work shall be done, except in case of repairing leaks, without a permit being first issued therefor, upon such terms and conditions as such city, town or village shall prescribe.

§ 6. *Application—Where to Apply.* All persons who are required by this act to take examinations and procure a certificate as required by this act shall apply to the board in the city where he resides, or to the board nearest his place of residence.

§ 7. *Violation of This Act—Fines.* Any person violating any provision of this act shall be deemed guilty of a misdemeanor, and be subject to a fine of not less than five (\$5) dollars, nor exceeding fifty (\$50) dollars, for each and every violation thereof, and his certificate may be revoked by the board of health or proper authorities of said city, town or village.

Approved June 10, 1897.

PART 7.

RIOT.

- § 1. City liable for damages.
- 2. Action, how brought—judgment.
- 3. When entitled to recover.
- 4. Action by party against persons engaged in riot—lien of city, etc.
- 5. Action by city against persons engaged in riot.
- 6. Notice of claim of damages—when action shall be brought.
- 7. When city settles claim.

§ 1. *City Liable for Damages.* That whenever any building or other real or personal property, except property in transit, shall be destroyed or injured in consequence of any mob or riot composed of twelve or more persons, the city, or if not in a city, then the county in which such property was destroyed, shall be liable to an action by or in behalf of the party whose property was thus destroyed or injured, for three-fourths of the damages sustained by reason thereof.

§ 2. *Action, How Brought—Judgment.* Such action may be brought in the form of an action on the case, or other appropriate action, and whenever any final judgment shall be secured against any such city or county in any such action, the same shall be paid in due course as in case of other judgments.

§ 3. *When Entitled to Recover.* No person or corporation shall be entitled to recover in any such action if it shall appear on the trial thereof that such destruction or injury of property was occasioned, or in any way aided, sanctioned or permitted by the carelessness, neglect or wrongful act of such person or corporation; nor shall any person or corporation be entitled to recover any damages for any destruction or injury of property as aforesaid, unless such party shall have used all reasonable diligence to prevent such damage.

§ 4. *Action by Party Against Persons Engaged in Riot—Lien of City, Etc.* Nothing in this act shall be construed to prevent any person or corporation whose property

has been injured or destroyed in consequence of any mob or riot, from having or maintaining an action or actions against any person or persons engaged or in any manner participating in such mob or riot for the recovery of the damages sustained thereby. Provided, that when such city or county shall have paid any part of such damage, such city or county making such payment shall have a lien to the amount so paid upon any judgment or claim, against any person or persons engaged in or in any manner participating in such mob or riot, together with the right and power to enforce and collect such judgment or claim, and when such city or county shall have been reimbursed the money so paid by it, such portion of such judgment or judgments or claim or claims remaining unpaid shall then revert to, and become the property of the original owner thereof, and such owner shall have the right to enforce and collect the same.

§ 5. *Action by City Against Persons Engaged in Riot.* It shall be lawful for the city or county against which a judgment or judgments for damages shall be recovered under the provisions of this act, to bring an action or actions against any person or persons engaged or in any manner participating in said mob or riot, for the recovery of the amount of said judgment or judgments and costs, and such actions shall not abate or fail by reason of too many or too few parties defendant being named therein; the same shall to all intents and purposes be treated as an action of trespass brought by the owners of such property, except that the statute of limitations as to such action shall not begin to run against said city or county until its liability is fixed by judgment as hereinbefore provided.

§ 6. *Notice of Claim of Damages—When Action Shall be Brought.* No action shall be maintained under the provisions of this act, by any person or corporaion whose property shall have been destroyed or injured as aforesaid, unless notice of claim for damages be presented to such city or county within thirty days after such loss or damage oc-

curs and such action shall be brought within twelve months after such destruction or injury occurs, but nothing in this act shall be construed as authorizing any recovery by the United States, the State of Illinois, or any county, for the destruction of, or injury to property by mobs or riots.

§ 7. *When City Settles Claim.* Any city or county may settle with, and pay, the owners of any such property the damages so sustained; and any such city or county which shall have paid any sum under the provisions of this act, whether by voluntary settlement or otherwise, may recover the same with all costs paid by it from any or all the persons engaged in the destruction or injury of the property so paid for.

PART 8.

SALE OF PROPERTY.

- § 1. Cities may sell—when and how.
- 2. Ordinance—notice to bid—acceptance or refusal of bid.
- 3. Deeds of conveyance.

AN ACT to authorize cities and villages to convey any real or personal estate, or their right and title therein, when the same shall be no longer necessary for, or profitable to, or its longer retention be for the best interests of such city or village. (Approved March 22, 1889. In force July 1, 1889.)

§ 1. *Cities May Sell—When.* That any city or village incorporated under any general or special law of this state, which shall have acquired or hold any real or personal estate for any purpose whatsoever, is hereby authorized and empowered by ordinance passed by three-fourths of the members of the City Council of any such city, or of the board of trustees of any such village, at any regular or at any special meeting called for such purpose, to sell such property when the same shall, in the opinion of such majority of such City Council or board of trustees, be no longer necessary, appropriate or required for the use of such city

or village, or profitable to, or its longer retention be for the best interests of such city or village.

§ 2. *Ordinance—Notice to Bid—Acceptance or Refusal of Bid.* Such ordinance shall specify the location of such real or personal estate, and the use thereof, of whatever kind the same may be, and before any sale shall be made under or by virtue of any such ordinance, by the City Council of any such city, or the board of trustees of any such village, such ordinance and proposal to sell shall be published in one of its daily or weekly papers for a period of not less than sixty days, and if no paper be published in such city or village, then it shall be published in some paper of general circulation in this state nearest to such city or village. Such notice shall contain an accurate description of such property, the purpose for which it is used, and at what meeting the bids will be considered and opened, and shall advertise for sixty days for bids therefor. All such bids shall be opened only at a regular meeting of such City Council or board of trustees, and shall be accepted only upon a vote of three-fourths of the members of such City Council or board of trustees. Provided, however, that the City Council or board of trustees may by a majority vote reject any and all bids.

§ 3. *Deeds of Conveyance.* Upon any bid having been accepted and the purchase price duly paid or secured, the Mayor and City Clerk, or the president of the board of trustees, and the clerk of such board, shall have the power to convey such real and personal estate and transfer the same to such party or parties whose bids have been accepted, by proper deed or deeds of conveyance, stating therein the price therefor, with the seal of the corporation.

PART 9.

VACATION OF STREETS, ALLEYS, AND HIGHWAYS.

- § 1. Three-fourths vote required—damages.
2. Rights of adjoining owners.

§ 1. *Three-fourths Vote Required—Damages.* That no City Council of any city, or board of trustees of any village or town, whether incorporated by special act or under any general law, shall have the power to vacate or close any street or alley, or any portion of the same, except upon a three-fourths majority of all the aldermen of the city or trustees of the village or town authorized by law to be elected; such vote to be taken by ayes and nays, and entered on the records of the Council or board. And when property is damaged by the vacation or closing of any street or alley, the same shall be ascertained and paid as provided by law.

§ 2. *Rights of Adjoining Owners.* When any street, alley, lane or highway, or any part thereof, has been or shall be vacated under or by virtue of any act of this state or by order of the City Council of any city, or trustees of any village or town, or by the commissioners of highways, county board, or other authority authorized to vacate the same, the lot or tract of land immediately adjoining on either side shall extend to the center line of such street, alley, lane or highway or part thereof so vacated, unless otherwise specially provided in the act, ordinance or order vacating the same, unless in consequence of more of the land for such street, alley, lane or highway having been contributed from the land on one side thereof than the other, such division is inequitable, in which case the street, alley, lane or highway so vacated shall be divided according to the equities of the adjoining owners.

PART 10.

- § 1. Non-resident not to be police officer.
- 2. Penalty.
- 3. Appointment of Police Matron.
- 4. Salary.

§ 1. *Non-resident Not to be Sheriff, Special Policeman, Etc.* That it shall be unlawful for the Sheriff of any county, or the corporate authorities of any city, town or village to authorize, empower, employ or permit any person to act as deputy sheriff, special constable or special policeman for the purpose of preserving the peace who is not a citizen of the United States and has not been an actual resident of the county where such a person is authorized to act as deputy sheriff, special constable or special policeman, one whole year before such authorization.

§ 2. *Penalty.* Any sheriff or public officer violating the provision of this act shall be deemed guilty of a misdemeanor, and shall on conviction, be punished by a fine of not less than \$100 and not more than \$500.

§ 3. *Appointment of Police Matron.* That in all incorporated cities in this state, having a population of sixteen thousand inhabitants or more, it shall be the duty of the Mayor of such city, subject to confirmation by the Council of such city, to appoint for the term of one year, one or more police matrons, who shall have charge of all female prisoners in their respective cities, in the police station, city prison, workhouse, or calaboose of such city, and who shall perform such duties in that regard as shall be prescribed by the ordinances of such city: Provided, in cities of over 50,000 inhabitants they need not be confirmed by the Council or board of trustees.

§ 4. *Salaries of Police Matrons.* The salaries to be paid each of said matrons shall be fixed annually by the Council or president and, as the case may be, out of the funds to be duly appropriated for the purpose.

PART 11.

PUBLIC TUBERCULOSIS SANITARIUMS.

- § 1. City may establish.
2. Submission of question to vote.
3. Board of directors.
4. Term of office.
5. Vacancies—how filled.
6. Powers of directors.
7. Sanitarium to be free.
8. Contributions.
9. Physicians and nurses.
10. Board—special trustees of—gifts.
11. Equal privileges of physicians.

§ 1. *City Council or Trustees in Villages May Maintain Public Tuberculosis Sanitariums—Tax.* That the City Council of cities and boards of trustees in villages of this state shall have the power, in the manner hereinafter provided, to establish and maintain a public sanitarium for the use and benefit of the inhabitants of such city or village for the treatment and care of persons afflicted with tuberculosis, and to levy a tax not to exceed one mill on the dollar annually on all taxable property of such city or village, such tax to be levied and collected in like manner with the general taxes of the said city, and to be known as the "Tuberculosis Sanitarium Fund," which said tax shall be in addition to all other taxes which such city or village is now or hereafter may be authorized to levy.

§ 2. *Petition for Annual Tax to Establish Sanitarium—Rate of Taxation—Submission to Vote.* When one hundred legal voters of any such city or village shall present a petition to the City Council or board of trustees of such city or village, as the case may be, asking that an annual tax may be levied for the establishment and maintenance of a public tuberculosis sanitarium in such city or village, such City Council or board of trustees, as the case may be, shall instruct the city or village clerk to, and such city or village clerk shall, in the next legal notice of the regular annual election in such city or village, give notice that at such election every elector may vote "For the levy of a tax for a public tuberculosis sanitarium," or "Against the levy of a tax for a

public tuberculosis sanitarium," and if the majority of all the votes cast upon the proposition is that such city or village shall be "for the tax for a public tuberculosis sanitarium," the City Council or board of trustees of such city or village shall thereafter annually levy a tax of not to exceed one mill on the dollar, which tax shall be collected in like manner with other general taxes in such city or village, and shall be known as the "Tuberculosis Sanitarium Fund," and thereafter the City Council or board of trustees, as the case may be, of such city or village shall include and appropriate from such fund in the annual appropriation bill such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such tuberculosis sanitarium.

§ 3. *Board of Three Directors — How Appointed.* When any such City Council or board of trustees shall have decided to establish and maintain a public tuberculosis sanitarium under this act, the Mayor of such cities and the president of the board of trustees of such villages shall, with the approval of the City Council or board of trustees, as the case may be, proceed to appoint a board of three directors, one of whom, in cities or villages having a board of health, shall be from such board of health, and the other two from the citizens at large, and shall be chosen with reference to their special fitness for such office.

§ 4. *Terms of Office, How Determined — A Director Appointed Annually — Removal.* Said directors shall hold office one-third for one year, one-third for two years, and one-third for three years from the first of July each year, appoint as before, one director to take the place of the retiring director, who shall hold office for three years and until his successor is appointed. The Mayor or president of the board of trustees, as the case may be, by and with the consent of the City Council or board of trustees, as the case may be, remove any director for misconduct or neglect of duty.

§ 5. *Vacancies, How Filled—Compensation.* Vacancies in the board of directors, occasioned by removal, resignation or otherwise, shall be reported to the City Council

or board of trustees, as the case may be, and be filled in like manner as original appointments, and no director shall receive compensation as such and shall not be interested, either directly or indirectly, in the purchase or sale of any supplies for said sanitarium.

§ 6. *Organization of Directors—By-Laws, Rules and Regulations—Control of Fund—Powers of Directors—Visits—Reports.* Said directors shall, immediately after appointment, meet and organize by the election of one of their number president and one as secretary and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the sanitarium as may be expedient, not inconsistent with this act, and the ordinances of such city or village. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the "Tuberculosis Fund" and of the construction of any sanitarium building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose: Provided, that all moneys received for such sanitarium shall be deposited in the treasury of said village or city to the credit of the "Tuberculosis Sanitarium Fund," and shall not be used for any other purpose and shall be drawn upon by the proper officers of said city or village upon the properly authenticated vouchers of the sanitarium board. Said board shall have the power to purchase or lease ground, and to occupy, lease or erect an appropriate building or buildings for the use of said sanitarium by and with the approval of the City Council or board of trustees, as the case may be; shall have the power to appoint a suitable superintendent or matron, or both, and all necessary assistants and fix their compensation, and shall also have the power to remove such appointees; and shall in general carry out the spirit and intent of this act in establishing and maintaining a public sanitarium and one or all of said directors shall visit and examine said sanitarium at least twice in each month and make monthly reports of its condition to the City Council or board of trustees, as the case may be.

§ 7. *Sanitarium to be Free—Regulations of—May Extend Privileges to Persons Residing Out of State.* Every sanitarium established under this act shall be free for the benefit of the inhabitants of such city or village who may be afflicted with tuberculosis and they shall be entitled to occupancy, nursing, care, medicines and attendance according to the rules and regulations prescribed by said board. Such sanitarium shall always be subject to such reasonable rules and regulations as said board may adopt in order to render the use of said sanitarium of the greatest benefit to the greatest number, and said board may exclude from the use of said sanitarium any and all inhabitants and persons who shall willfully violate such rules or regulations. And said board may extend the privileges and use of such sanitarium to persons residing outside of such city or village in this state so afflicted, upon such terms and conditions as said board may from time to time by its rules and regulations prescribe.

§ 8. *Contributions—Report to City Council or Board of Trustees Monthly—Annual Report.* Said board of directors, in the name of the city or village, may receive from any inhabitant or person any contribution or donation of money or property and shall pay over to said city or village treasurer all moneys thus received as often as once each month and shall take the receipt of such treasurer thereof; and shall also, at the regular monthly meeting of the City Council or board of trustees, report to such City Council or board of trustees, the names of such persons or inhabitants from whom such contributions or donation has been received and the amount and nature of property so received from each and the date when the same was received. And said board of directors shall make, on or before the second Monday of June of that year, the various sums of money received from the "Sanitarium Fund" and from other sources and how such moneys have been expended and for what purposes; the number of patients and such other statistics, information and suggestions as they may deem of general interest.

§ 9. *Physicians, Nurses, Etc., Subject to Rules of Board.* When such sanitarium is established, the physicians, nurses, attendants, the persons sick therein and all persons approaching or coming within the limits of the same or grounds thereof, and all furniture and other articles used or brought there shall be subject to such rules and regulations as said board may prescribe.

§ 10. *Board of Special Trustees of Gifts, Etc.* Any person desiring to make any donation, gift, bequest, or devise of any money, personal property or real estate, for the benefit of such sanitarium shall have the right to vest title to the money, personal property or real estate so donated in the board of directors created under this act, to be held and controlled by such board, when accepted, and as to such property, the said board shall be held and considered to be special trustees.

§ 10. *Privilege of Reputable Physicians to Treat Patients.* All reputable physicians shall have equal privileges in treating patients in said sanitarium.

PART 12.

MISCELLANEOUS PROVISIONS—WATER.

- § 1. Water—borrow money.
2. Acquiring property for water works—jurisdiction over.
 3. Regulations—rates—taxation, etc.
 4. Tax-payers may enforce rights in name of city, etc.
 5. Maps—approval of.
 6. Inhabitants competent as jurors, etc.
 7. Population—census.
 8. Municipal year.
 9. City or village need not give appeal bond.

§ 1. *Water—Borrow Money.* The City Council or board of trustees shall have the power to provide for a supply of water by the boring and sinking of artesian wells, or by the construction and regulation of wells, pumps, cisterns, reservoirs or water works, and to borrow money therefor, and to authorize any person or private corpora-

tion to construct and maintain the same at such rates as may be fixed by ordinance, and for a period not exceeding thirty years; also to prevent the unnecessary waste of water; to prevent the pollution of the water, and injuries to such wells, pumps, cisterns, reservoirs or water works.

§ 2. *Acquiring Property for Water Works—Jurisdiction Over.* For the purpose of establishing or supplying water works, any city or village may go beyond its territorial limits, and may take, hold and acquire property by purchase or otherwise; shall have the power to take and condemn all necessary lands or property therefor, in the manner provided for the taking or injuring private property for public uses; and the jurisdiction of the city or village to prevent or punish any pollution or injury to the stream or source of water, or to such waterworks, shall extend five miles beyond its corporate limits, or so far as such water works may extend.

§ 3. *Regulations—Rates, Taxations, Etc.* The City Council or board of trustees shall have power to make all needful rules and regulations concerning the use of water supplied by the water works of said city or village, and to do all acts and make such rules and regulations for the construction, completion, management or control of the water works, and for the levying and collecting of any water taxes, rates or assessments, as the said City Council or board of trustees may deem necessary and expedient; and such water taxes, rents, rates or assessments may be levied or assessed upon any lot or parcel of ground, having a building or buildings thereon, which shall abut or join any street, avenue or alley in such city or village through which the distributing pipes of such water works (if any) of said city or village are or may be laid, which can be conveniently supplied with water from said pipes. Provided, (whether) the water shall be used on such lot or parcel of ground or not; and the same when so levied or assessed, shall become a continuing lien or charge upon such lot or parcel of ground, building or buildings, situated thereon,

and such lien or charge may be collected or enforced in such manner as the City Council may by ordinance prescribe. And the corporate authorities may levy a general tax for the construction and maintenance of such water works, and appropriate money therefor.

§ 4. *Taxpayers May Enforce Rights in Name of City, Etc.* A suit may be brought by any taxpayer, in the name and for the benefit of the city or village, against any person or corporation, to recover any money or property belonging to the city or village, or for any money which may have been paid, expended, or released without the authority of law. Provided, that such taxpayer shall file bond for all costs, and be liable for all costs in case the city or village be cast in the suit, and judgment shall be rendered accordingly.

§ 5. *Maps—Approval of.* The City Council or board of trustees shall have power to provide, by ordinance, that any map, plat or sub-division of any block, lot, sub-lot, or part thereof, or of any piece or parcel of land, shall be submitted to the City Council or board of trustees, or to some officer to be designated by such Council or board of trustees, for their or his approval; and in such cases no such map, plat or sub-division shall be entitled to record in the proper county, or have any validity until it shall have been so approved.

§ 6. *Inhabitants Competent as Jurors, Etc.* No person shall be an incompetent judge, justice, or juror, by reason of his being an inhabitant or freeholder in said city or village, in any action or proceeding in which said city or village may be a party in interest.

§ 7. *Population—Census.* Whenever in this act any provision thereof is based upon the number of inhabitants of the city or village, it shall be determined by reference to the latest census taken by authority of the United States or this state, or of such city or village; and it shall be the duty of the secretary of state, upon the publication of any State or United States census, to certify to each city or vil-

lage the number of inhabitants, as shown by such census. Any city or village may, by ordinance, provide for the taking of a census of the population thereof, in order to determine the number of such population for any and all purposes of this act. And the several courts in this state shall take judicial notice of the population of any city or village as the same may appear from the latest federal, state, city or village census so taken.

§ 8. *Municipal Year.* The term "municipal year" shall be construed to mean the period elapsing between the regular annual elections, unless otherwise provided by ordinance.

§ 9. *City or Village Need Not Give Appeal Bonds.* When in any suit the city or village prays an appeal from the judgment of any court of this state to a higher court it shall not be required to furnish an appeal bond.

PUBLIC BUILDINGS.

- § 1. Doors to open outward.
- 2. Penalty.
- 3. When building may be closed.

AN ACT to regulate the means of egress from public buildings: (Approved March 28, 1874. In force July 1, 1874.)

1. DOORS TO OPEN OUTWARD.] § 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That all public buildings now in process of construction or hereafter to be built or constructed, which may or shall be used for churches, school houses, operas, theatres, lecture rooms, hotels, public meetings, town halls, or which may or shall be used for any purpose whereby a collection of people may be assembled together for religious worship, amusement or instruction, shall be so built and constructed that all doors leading from the main hall or place where said collection of people may be assembled, or from the principal

room which may be used for any of the purposes aforesaid, shall be so swung upon their hinges and constructed that said doors shall open outward; and that all means of egress for the public from the main hall or principal room, and from the building, shall be by means of doors which shall open outwards from the main hall or building.

2. PENALTY.] § 2. That any person or persons who shall fail or refuse to comply with the provisions of this act shall be fined in any sum not less than \$100 nor more than \$1,000.

3. WHEN PUBLIC BUILDINGS MAY BE CLOSED.] § 3. That in all cities and towns having a population of two thousand inhabitants, and upwards, the mayor, or other corporate authorities of said town or city, shall be empowered and he is hereby authorized to close and prohibit all public buildings, hereafter erected, from being used in violation of this act.

ROADS AND BRIDGES.

BRIDGES, ETC., OUTSIDE CITIES AND VILLAGES—DONATION TO COUNTIES.

§ 1. Authorizes donation—resolution—certificate—ownership.
(House Bill No. 629. Approved June 9, 1909.)

An Act to enable cities and villages to donate to counties, bridge, bridges, highway and toll roads owned or constructed by cities or villages outside the cities or villages and to be forever kept open for public travel and maintained by counties.

§ 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be lawful for any city or village within this state by resolution to donate any bridge, bridges, highway or toll road owned by it, or hereafter constructed by it, outside the city or village, to the county in which said bridge, bridges, highway or toll road is located, upon the State Highway Com-

missioners certifying to the board of supervisors in counties under township organization and to [the] board of county commissioners in counties not under township organization of the county in which the bridge, bridges, highway or toll road is located, that the bridge, bridges, highway or toll road proposes to be donated is of such construction and repair as to be safely used by the public for travel, and upon the filing of such resolution and certificate with the county clerk of the county in which the bridge, bridges, highway or toll road is located, the county shall own said bridge, bridges, highway or toll road and forever keep it or them, in repair and free to the public for travel.

Approved June 9, 1909.

COMMISSION FORM OF MUNICIPAL GOVERNMENT.

- | | |
|---------------------------------------------------------|-----------------------------------------------------|
| § 1. Adds Article XIII to Act of 1872. | 42-46. Recall of elective officers. |
| 1- 8. Organization. | 47. Initiation. |
| 9-19. Election of Officers. | 48-49. Referendum. |
| 20-21. Penalties for election frauds. | 50. Miscellaneous provisions. |
| 22-25. Powers of the council. | 51. Treasurer. |
| 26-29. Civil service. | 52-53. Public service corporations—franchises, etc. |
| 30-31. Salaries. | 54-54½. Contracts. |
| 32-36. Meetings and ordinances. | 55-56. Oaths and bonds. |
| 37-39. Officers not to be interested in city contracts. | 57. Adoption of Act. |
| 40-41. Finances and appropriations. | 58. Words and phrases construed. |
| | 59. Invalid portions. |
| | 60. Repeal. |

(House Bill No. 43. Approved March 9, 1910.)

An Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII.

§ 1. Be it enacted by the People of the State of Illinois represented in the General Assembly: That the Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872,

and all Acts amendatory thereof, be and the same hereby is amended by adding thereto an article to be known as article XIII, in the words and figures following:

ARTICLE XIII.

ORGANIZATION.

That all cities and villages in the State of Illinois not exceeding two hundred thousand (200,000) population which are now or may hereafter become incorporated under an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, and all Acts amendatory thereof shall, in addition to all rights, powers and authority in them vested under and by virtue of said acts have, and they are hereby vested with the further and additional rights, powers and authority contained in this Act, which for conveniences (convenience) is hereinafter designated "The Commission Form of Municipal Government," by proceeding as hereinafter provided.

§ 2. Whenever electors of any city or village equal in number to one-tenth of the votes cast for all candidates for mayor or president of the board of trustees at the last preceding city or village election of any such city or village voting for such officer, shall petition the judge of the county court of the county in which said city or village, or the greater part thereof, is located to submit to a vote of the electors of such city or village the proposition as to whether such city or village shall adopt and become entitled to the provisions of this Act, it shall be the duty of such Judge of the county court to submit such proposition accordingly to a special city or village election to be called by such judge within sixty days: Provided, if a general city or village election is held within such sixty days, such proposition shall be submitted thereat. An order shall be entered and recorded in the county court of such county submitting such proposition as aforesaid: Provided further, that if the question

of the adoption of this Act shall be submitted to the voters of any municipality, and it shall not be adopted by such municipality, then and in that event the question of the adoption of this Act shall not be again submitted in such municipality for at least two years.

§ 3. Said petition provided for in Section 2 shall be substantially in the following form:

To the Honorable (name of judge), Judge of the County Court of the County of (name of county) :

We, the undersigned qualified electors of the city or village (name of city or village), respectfully petition your honor to submit to a vote of the electors of said city or village, at an election, the following proposition:

Shall the city (or village) of adopt the commission form of municipal government?

Name.	Address, with Street and Number.
.....
.....

State of Illinois, }
County of } ss.

I, do hereby certify and make oath (or affirm) that I am upwards of the age of twenty-one years; that I reside at number street, in the city (or village) of of the county of and State of Illinois, and that the signatures of this sheet were signed in my presence and are genuine; and that to the best of my knowledge and belief the persons so signing were at the time of signing said petition qualified voters of said city (or village), and that their respective residences are correctly stated as above set forth.

.....

Subscribed and sworn to before me this day of
 A. D. 19....
 (Seal, if officer has one.)

.....
 (Official Charter [Character.])

Such petitions shall consist of sheets of uniform size, and the heading of each sheet shall be the same.

Such petitions shall be signed by qualified electors of such city or village in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and if a resident of a city or village having a population of over 10,000 by the last preceding federal or state census, the street and number of such residence shall be given).

At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the city or village, stating his residence (and if a resident of a city or village having a population as aforesaid, also stating the street and number of such residence), certifying that the signatures on that sheet of said petition were signed in his presence and are genuine, and that to the best of his knowledge and belief the persons so signing were, at the time of signing, qualified voters of said city or village. Such statement shall be sworn to before some officer of the county in which such city or village is located, authorized to administer oaths therein.

Such sheets, before being filed, shall be neatly fastened together by placing the sheets in a pile and fastening them together at the upper edge in a secure and suitable manner, and the sheets shall then be numbered consecutively.

§ 4. The judge of such county court shall give at least ten days' notice of the election at which such proposition is to be submitted by publishing such notice in one or more daily newspapers published within such city or village for at least five times, the first publication to be at least ten days before the day of election; and if no daily newspaper

is published in such city or village, then by posting at least five copies of such notice in each ward of such city or in such village at least ten days before such election. Such election shall be held under the election law in force in such city or village, except as herein otherwise provided.

The proposition so to be voted upon shall appear in plain, prominent type, on a separate and distinct ballot, and the names of no candidates for any office or offices, nor any other proposition shall appear thereon, and such ballot and the manner of voting the same shall comply as near as may be with Section 16 of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891, and all amendments thereto."

If a majority of the votes cast upon such proposition shall be in favor of and for the adoption of such proposition, the provisions of this Act shall thereby be adopted by such city or village, and the mayor or president of the board of trustees shall thereupon immediately issue a proclamation declaring this Act in force in said city or village, and thenceforth this Act shall be in full force and effect therein.

§ 5. A certified copy of the canvass of the votes of the election on such proposition, made by the proper officers, shall be transmitted to the city or village clerk of such city or village, and to the clerk of the county court, and by each transcribed upon the records of their respective offices in full.

§ 6. Immediately after such proposition is adopted, the mayor or president of the board of trustees shall transmit to the Secretary of State, to the clerk of the county court and county recorder each a certificate, stating that such proposition was adopted, who shall duly file the same in their respective offices and transcribe the same upon the records thereof.

§ 7. The failure of the mayor or president of the board of trustees, or any of said officials, to perform the duties and acts imposed upon them by Sections 4, 5 and 6, shall not invalidate nor prevent the adoption of this Act.

§ 8. All courts in this state shall take judicial notice of the adoption of this Act by such cities or villages as adopt the same.

ELECTION OF OFFICERS.

§ 9. On the third Tuesday in April, A. D., nineteen hundred eleven (1911) next after the adoption of such proposition and quadrennially thereafter, there shall be held a general municipal election at which there shall be elected a mayor and four commissioners from the city or village, without regard to wards. All divisions into wards of such municipalities as adopt this Act shall be discontinued and said officers shall be nominated and elected at large: Provided, that in cities which include wholly within their corporate limits a town or towns, such elections shall be held on the first Tuesday in April: Provided, however, that the term of office of all regularly elected municipal officers holding office at the time this Act is adopted by such municipality shall be and the same are hereby made to expire at the end of ninety days after the adoption of this Act by any such municipality, and before the end of sixty days upon the election of a mayor and commissioners in any such city within the said period of ninety days: And, provided, further, that prior to the biennial election of 1911 and prior to the next biennial election in any city after the adoption of this Act, it shall be the duty of the proper municipal officers to call a special election, at once, after the adoption of this Act, to elect a mayor and four commissioners in pursuance of the provisions of this Act, of which said special election ninety days' notice shall be given by the proper municipal officers, as provided by the terms of this Act.

§ 10. The mayor and commissioners elected under Section 9 of this Act shall be known as the council and shall

hold their respective offices until the next succeeding general election for such officers, respectively, and until their successors are elected and qualified, as provided in this Act.

§ 11. The mayor and commissioners shall hold their respective offices for the term of four years, or until their successors are elected and qualified: Provided, that any mayor or commissioners elected at a special election in pursuance of the adoption of this Act, shall hold their respective offices until the next quadrennial general election or until their successors are elected and qualified. If any vacancy occurs in any such office the remaining members of said council shall, within thirty days after such vacancy occurs, appoint a person to fill such vacancy during the balance of the unexpired term.

§ 12. All candidates to be voted for at all general and special municipal elections at which a mayor and four commissioners are to be elected under the provisions of this Act shall be nominated by a primary election from the city or village at large, and no other names shall be placed upon the general ballot at the general municipal election except those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the last Tuesday in February immediately preceding the general municipal election in all cities or villages in which the general municipal election under this Act is held on the first Tuesday in April, and on the second Tuesday in March immediately preceding the general municipal election in all cities or villages in which the general municipal election under this Act is held on the third Tuesday of April: And, provided, that at all special elections called, as hereinbefore provided, candidates shall be nominated at a primary called by the proper municipal officers, for the thirty-fifth day preceding the said special election, in accordance with the provisions of this Act, of which said primary election the proper municipal officers shall give due and legal notice, as provided by the terms of this Act.

§ 13. The judges and clerks of election appointed in

accordance with the election law in force in such city or village shall be the judges and clerks of the primary election, and it shall be held at the same place, and the polls shall be opened and closed at the same hours, and such election shall be conducted the same as a general municipal election is conducted under the election law in force in said city or village, except as herein otherwise provided.

All election laws in force in said city or village shall apply to and govern a primary election held under this Act, except as herein otherwise provided.

§ 14. Any person desiring to become a candidate for mayor or commissioner shall, not less than fifteen days nor more than thirty days prior to such primary election, file with the city or village clerk, or, in those cities having a board of election commissioners, with the clerk of such board, a statement of such candidacy in substantially the following form:

State of Illinois, }
County of } ss.

I,, being the first duly sworn, say that I reside at (here give number and street) street, in the city (or village) of (here name of city or village), county of (here name county) State of Illionis; that I am a qualified voter therein; that I am a candidate for nomination to the office of (mayor or commissioner), to be voted upon at the primary election to be held on the Tuesday of, A. D. 19....; that I am legally qualified to hold such office; and I hereby request that my name be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed)

Subscribed and sworn to (or affirmed) before me by on this day of A. D. 19....

(Signed)

(Seal, if officer has one.)

(Official Character.)

And shall at the same time file therewith the petition of at least twenty-five qualified voters requesting such candidacy.

Such petition shall substantially be in the following form:

We, the undersigned, duly qualified electors of the city (or village) of (city or village), and residing at the places set opposite our respective names hereto, do hereby petition that the name of (name of candidate) be placed upon the ballot as candidate for nomination for the office of (here name office) at the primary election to be held in such city or village on the Tuesday of A. D. 19. We further state that we know him to be a qualified elector of said city or village and legally qualified to hold such office.

Names of Qualified Electors.	Number.	Streets.
.....
.....

I,, do hereby certify and make oath (or affirm) that I am upwards of the age of twenty-one years, that I reside at number (give number and street, if any) street, in the city (or village) of, of the county of and State of Illinois; that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were, at the time of signing said petitions, qualified electors, and that their respective residences are correctly stated as above set forth. (Signed)

Subscribed and sworn to (or affirmed) before me this day of, A. D. 19.

(Seal, if officer has one.)

(Official Character.)

Such petitions shall consist of sheets of uniform size, and the heading of each sheet shall be the same. Such petitions shall be signed by qualified electors, in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and of a resident of a city or village having a population of over 10,000 by the last preceding federal or state census the street and number of such residence shall be given). At the bottom of each sheet shall be added a statement, signed by an adult resident of the city or village, stating his residence address (and if a resident of a city or village having a population of over 10,000 by the then last preceding federal or state census the street and number of such residence shall be given), certifying on oath or affirmation that the signatures on that sheet of said petition were signed in his presence and are genuine, and that to the best of his knowledge and belief the persons so signing were, at the time of signing said petition, qualified electors of said city or village. Said statement and also the statement of the candidate hereinbefore referred to shall be sworn to or affirmed before some officer of the county in which the person making the statement resides, authorized to administer oaths therein.

Such sheets, before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at the upper edge, in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signature shall be revoked except by revocation, filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such petition.

Immediately upon the expiration of the time of filing the statements and petitions for candidates, the said city or village clerk or board of election commissioners, as the case may be, shall cause to be published for three successive days

in all the daily papers published in said city, in proper form, the names of the persons as they are to appear upon the primary ballots, and if there be no daily newspapers, then in two issues of any other newspapers published in said city or village, and if there be no newspapers published in said city or village, then in the nearest newspaper published in the county in which such city or village is located, or if there be no newspaper published in said county, then in the nearest newspaper published in the state; and the clerk shall thereupon cause the primary ballots to be printed in the same manner and in the same number and within the same time as ballots are printed under the election law in force in such city or village for general municipal elections, except as herein otherwise provided. Said ballots shall be authenticated with the *fac-simile* of the clerk's signature on the back thereof. Upon said ballots the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately above the names and immediately following the name of the office, the words "Vote for one." Following these names likewise arranged in alphabetical order, shall appear the names of the candidates for commissioners with a square at the left of each name and immediately above the names of such candidates, and immediately following the name of the office, shall appear the words "Vote for four." The ballots shall be printed upon plain, substantial, white paper, and shall comply with the election laws in force in such city or village, except as herein otherwise provided, and shall be headed:

CANDIDATES FOR NOMINATION FOR MAYOR
AND COMMISSIONERS OF THE CITY (OR VILLAGE)
OF AT THE PRIMARY ELECTION.

But shall have no party, platform or principle designated, or appellation or mark whatever, nor shall any circle be printed at the head of the ballot. The ballot shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT.

CANDIDATES FOR NOMINATION FOR MAYOR
AND COMMISSIONERS OF THE CITY (OR VILLAGE)
OF AT THE PRIMARY ELECTION.

FOR MAYOR.

(Vote for one.)

- ☐ JOHN JONES.
- ☐ JAMES SMITH.
- ☐ HENRY WHITE.
- ☐ RALPH WILSON.

FOR COMMISSIONERS.

(Vote for four.)

- ☐ WILLIAM BURKE.
- ☐ GEORGE MILLER.
- ☐ THOMAS WILLIAMS.
- ☐ EDWARD STUART.
- ☐ ROBERT BUCK.
- ☐ HARRY BROWN.
- ☐ JOSEPH TROUT.
- ☐ ARTHUR ROBBINS.

Such ballots shall be authenticated and attested on the back thereof in the same manner and form as provided by the election law in force in said city or village.

The law governing such primary election shall be the election law in force in such city or village, for the general or special municipal elections, except as herein otherwise provided.

§ 15. (a) The persons who are qualified to vote at a general municipal election shall be qualified to vote at such primary election; and in all cases where registration is required as a condition precedent to voting at regular elections, only registered voters shall be entitled to vote at such primary.

(b) For such primary election there shall be a general registration, intermediate registration or revision of the register, as the case may be, in accordance with the election law in force in such city or village, the same as if such primary election was a general municipal election, and for the purposes and requirements of registration, such primary election shall be considered a general municipal election.

(c) In all special elections and special primary elections held under this Act, if the election law in force in such city or village, in regard to special elections, shall require general registration, intermediate registration, or revision of the registry, as the case may be, for such special elections, the same shall thereupon be had; and if the election law in force in such city or village requires registration as a condition precedent to voting at such special elections, and general registration, intermediate registration or revision of registry, as above provided, is had for such special elections, only registered voters shall be allowed to vote: Provided, however, that if such election law requires registration as a condition precedent to voting at such special elections, and no general registration, intermediate registration or revision of registry is had for such special election, so as to give all legal voters who are not registered an opportunity to register, then such legal voters who are not registered may vote upon filing the affidavits as provided in subdivision *d* of this section.

(d) If the election law in force in such city or village in regard to special elections does not require general registration, intermediate registration or revision of the registry, the same shall not be required: Provided, however, the books of registry of the last general registration, intermediate registration or revision of registry, as the case may be, shall be used at such special elections, and no vote shall be received at any such special election, if the name of the person offering to vote shall not be on said books of registry, unless the person offering to vote shall furnish to the judges of election his affidavit in writing, stating therein

his residence, with street and number (if any), age, nativity, length of residence in the state, county and district, and that he is an inhabitant of the district and entitled to vote therein at such special election, and proves by the written oath of a householder and registered voter of the district in which he offers to vote, that he knows such person to be an inhabitant of said district (and if a city or village having street and numbers) giving the street and number of such person within said district, and that he is entitled to vote at said election; the intent of this subdivision *d* being that no legal voter, where registration is not required as above, shall be deprived of his vote by reason of his name not being on the books of registry.

§ 16. The two candidates receiving the highest number of votes for mayor shall be the candidates and the only candidates whose names shall be placed upon the ballot for mayor at the next succeeding general or special municipal election, and the eight candidates receiving the highest number of votes for commissioners, or all such candidates if less than eight, shall be the candidates and the only candidates whose names shall be placed upon the ballot for commissioners at such municipal election: Provided, that nothing contained in this Act shall be construed as preventing an elector, either at the primary election or general or special municipal election, held under this Act, from writing in the names of the candidate or candidates of his choice in a blank space on said ticket, and making a cross opposite thereto in accordance with the election law in force in said city or village.

§ 17. If, upon the canvass of the returns of said primary election by the canvassing board, it shall appear that more than the number of persons to be nominated for the office of mayor or of commissioners have the highest and an equal number of votes for the nomination for the same office, the said canvassing board shall decide by lot which of such persons shall be nominated. In such case such canvassing board shall issue notice in writing to such person or per-

sons of such vote, stating therein the place, the day (which shall not be more than five (5) days thereafter), and the hour when such nomination shall be so determined.

§ 18. Any candidate whose name appears upon the primary ballot at any primary election held under this Act may contest the election of the candidate or candidates nominated upon the face of the returns, which contest and the mode of procedure therein shall be as follows:

(a) Authority and jurisdiction are hereby vested in the county court or in the judge thereof in vacation, or in the circuit court or in the judge or judges thereof in vacation, to hear and determine primary contests. Where a petition to contest a primary shall be filed in the office of the clerk of the court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the day presented, and shall also note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter, and shall order issuance of summons to each defendant named in the petition.

(b) Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. The case may be heard and determined by the county or circuit court in term time, or by the judge or judges thereof in vacation, at any time not less than three days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for costs.

(c) If, in the opinion of the court, or the judge thereof, in which the petition is filed, the grounds for contest alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots, and make such orders and enter such judgments as justice may require. The court shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper court, the result of such election in the city or village for which the contest is made.

The judgment or decree of the trial court shall be final. A certified copy of such decree shall forthwith be made by the clerk of the court and transmitted to the city or village clerk or clerk of the board of election commissioners, as the case may be, at least three days before election, who shall in such case be governed accordingly.

(d) If the candidate nominated at such primary should die or withdraw before the general municipal election, the vacancy caused thereby shall be filled by the placing of the name of the candidate, if for the office of mayor, receiving the third highest number of votes, and if for the office of commissioner, the candidate receiving the ninth highest number of votes at such primary, and so on in case of the death or withdrawal of more than one candidate.

(e) All general and special municipal elections in said city or village shall be held, conducted and contested under the election law in force in such city or village, except as herein otherwise provided.

All general or special municipal elections in said city or village shall be held, conducted and contested under the election law in force in such city or village, except as herein otherwise provided.

§ 19. Upon the ballots for the general or special municipal election the names of the candidates for mayor nominated at such primary election, arranged alphabetically, shall first be placed with a square to the left of each name, and immediately above the names and following the name of the office, the words "Vote for one" shall be placed.

Following such names, likewise arranged in alphabetical order, shall appear the names of the candidates for commissioners, nominated at such primary election, with a square to the left of each name, and above the name of such candidates and immediately following the name of the office, shall appear the words "Vote for four."

The said ballots shall be printed upon plain, substantial white paper, and shall comply with the election laws in force

in such city or village, except as herein otherwise provided, and shall be headed :

CANDIDATES FOR THE ELECTION FOR MAYOR AND COMMISSIONERS OF THE CITY (OR VILLAGE) OF AT THE GENERAL (OR SPECIAL) MUNICIPAL ELECTION, but such ballots shall have no party, platform or principle designation or appellation or marks whatever, nor shall any circle be printed thereon at the head of the ballot. The ballot shall be in substantially the following form :

OFFICIAL BALLOT.

CANDIDATES FOR THE ELECTION FOR MAYOR AND COMMISSIONERS OF THE CITY (OR VILLAGE) OF AT THE GENERAL (OR SPECIAL) MUNICIPAL ELECTION.

FOR MAYOR.

(Vote for one.)

- ☐ JOHN JONES.
- ☐ JAMES SMITH.

FOR COMMISSIONERS.

(Vote for four.)

- ☐ WILLIAM BURKE.
- ☐ GEORGE MILLER.
- ☐ THOMAS WILLIAMS.
- ☐ EDWARD STUART.
- ☐ ROBERT BUCK.
- ☐ HARRY BROWN.
- ☐ JOSEPH TROUT.
- ☐ ARTHUR ROBBINS.

Such ballots shall be authenticated and attested on the back thereof in the same manner and form as provided by the election law in force in such city or village.

Sample ballots shall also be printed and supplied in accordance with the election law in force in such city or village.

PENALTIES FOR ELECTION FRAUDS.

§ 20. Any person who shall agree to perform any service in the interest of any candidate for any nomination or election for any office provided in this Act, in consideration of any money or other valuable thing, or for the "treats," or for any appointment to any office or employment under such city or village, for such service performed in the interest of any such candidate, or any candidate who shall make a promise of money or other valuable thing, or to appoint any person to an office in the event of the nomination or election of such candidate, in consideration of such person performing any service in the interest of said candidate, upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars (\$300) or be imprisoned in the county jail not exceeding thirty (30) days, or both, in the discretion of the court.

§ 21. Any person offering to give a bribe, either in money or other consideration, or in the form of treating, or by agreement to appoint to any office or employment under such city or village to any elector for the purpose of influencing his vote at any election, provided for in this Act, or any elector entitled to vote at any such election requesting, receiving or accepting such bribe, money, other consideration or treats, or agreeing to vote or support any candidate in consideration that he be appointed to an office or employment under such city, shall be deemed guilty, of a misdemeanor and, upon conviction, shall be fined a sum not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or be imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court.

POWERS OF THE COUNCIL.

§ 22. Every such city or village shall be governed by a council, consisting of the mayor and four commissioners, as provided in this Act, each of whom shall have the right to vote on all questions coming before the council. Three members of the council shall constitute a quorum, and the affirmative vote of three members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is provided for by this Act. Upon every vote the "yeas" and "nays" shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before a vote is taken thereon, and all the commissioners, including the mayor, present at any meeting shall vote thereon.

The mayor shall preside at all meetings of the council. He shall have no power to veto any measure, motion, resolution or ordinance, but every resolution, ordinance and measure passed by the council must be signed by the mayor, or by two commissioners, and be recorded before the same shall be in force.

§ 23. The council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had, possessed and exercised by the mayor, city council, president and board of trustees of villages, board of library trustees, city clerk, city attorney, city engineer, city treasurer, city comptroller and all other executive, legislative and administrative officers in cities or villages now or hereinafter organized and incorporated under the general incorporation law of the State of Illinois for the incorporation of cities and villages, except that in each city or village organized under and adopting the provisions of this Act the board of local improvements, provided for, in and by an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all Acts amendatory thereto, shall be and remain a separate and distinct body, with all the rights, powers, duties and authority in said Act contained,

and except also, that nothing herein contained shall apply or extend or pertain to or in any way affect the park and driveway officers now or hereafter elected under the particular laws pertaining thereto, and except also that nothing contained in this Act shall in any way extend or pertain to or affect any public school law in operation in any municipality which may adopt this Act, anything in this present Act contained to the contrary notwithstanding.

The executive and administrative powers, authority and duties in such cities and villages shall be distributed into and among five departments, as follows :

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public health and safety.
4. Department of streets and public improvements.
5. Department of public property.

The council shall, by ordinance, determine the powers and duties of, and to be performed by, each department and assign them to the appropriate departments; shall prescribe the powers and duties of officers and employes and may assign employes to one or more of the departments; may require an officer or employe to perform duties in two or more departments, and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city or village.

§ 24. The mayor shall be commissioner of public affairs and as such be superintendent of that department; and the council shall, at the first regular meeting after election of its members, designate by a majority vote, one commissioner to be commissioner of accounts and finances, who shall be superintendent of that department; one to be commissioner of public health and safety, who shall be superintendent of that department; one to be commissioner of streets and public improvements, who shall be superintendent of that department, and who ex officio shall be commissioner of public works; and one to be commissioner of pub-

lic property, and as such to be superintendent of that department; but such designation may be changed by the council whenever it appears that the public service would be benefited thereby. The council, by a majority vote, may, in their discretion, at such first meeting or as soon as practicable thereafter, elect, by a majority vote, the following officers: City clerk, corporation counsel, city attorney, assistant city attorney, treasurer, comptroller, city physician, chief of police, chief of fire department, harbor master, market master, three library trustees and the necessary officers to fill the offices provided for by the Local Improvement Act, known as "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897: Provided, that the commissioner of streets and public improvements under this Act shall be ex officio the commissioner of public works and a member of the board of local improvements as and when provided for by said Act concerning local improvements.

Any officer or assistant or employe elected or appointed by the council may be removed from office at any time by a vote of a majority of the members of the council, except as otherwise provided in this Act.

§ 25. The council shall have the power, by ordinance, from time to time, to create, fill and discontinue offices and employment other than herein prescribed, according to their judgment of the needs of the city or village; and may, by majority vote of all the members, remove any such officer or employe appointed by them, except as otherwise provided for in this Act; and may, by resolution or otherwise, prescribe, limit or change the compensation of all appointive officers or employes.

CIVIL SERVICE.

§ 26. In all cities or villages which have heretofore or shall hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, the council shall not have the right, power or author-

ity to appoint or discharge any officer, assistant or employe, except in accordance with such Act: Provided, however, the council shall have the power to remove officers who are elected by the council pursuant to law, judges and clerks of election, heads of any principal department of the city subordinate to any of the departments provided for in Sections 23 and 24 of this Act.

Nothing herein contained shall be construed to prevent any city adopting this Act from adopting "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and all amendatory Acts thereto, but such city may adopt such Act in the manner in that Act provided.

§ 27. The council shall have the right, power and authority to appoint the heads of all principal departments, subordinate to the departments provided for in Sections 23 and 24 of this Act.

§ 28. In all cities or villages which have heretofore or shall hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all officers, assistants and employes of such city, except those mentioned in Sections 23, 24 and 27, and within the proviso of Section 26 of this Act, shall be appointed by the commissioner of each department mentioned in Section 23 in accordance with such Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895; and in all cities or villages which have not heretofore or shall not hereafter adopt such Civil Service Act, all such officers, assistants and employes shall be appointed by the commissioner of each department specified in Section 23 and may be discharged by him when, in his judgment, the efficient conduct of the city's affairs shall demand it.

§ 29. Any officer, assistant or employe who shall have been elected or appointed by the council in accordance with the provisions of this Act may be removed from office at any time by a vote of a majority of the members of such council, except as otherwise provided for in this Act or by law.

SALARIES.

§ 30. The mayor and each of the commissioners shall have an office at the municipal building or rooms, and shall devote such time to the duties of their respective offices as a faithful discharge thereof may require: Provided, that in cities of twenty thousand (20,000) population and over the mayor and the commissioners shall devote at least six hours daily to the performance of their official duties; and their total and only compensation for the performance of their several and respective duties shall be annual salaries which shall be fixed by the council and which shall not exceed as follows, to-wit:

Where the population is not over 2,000 the annual salary of the mayor may be \$50.00, and of each commissioner \$40.00.

Where the population is over 2,000, and not over 5,000, the annual salary of the mayor may be \$250.00, and of each commissioner \$100.00.

Where the population is over 5,000, and not over 10,000, the annual salary of the mayor may be \$600.00, and of each commissioner \$400.00.

Where the population is over 10,000, and not over 15,000, the annual salary of the mayor may be \$1,200.00, and of each commissioner \$900.00.

Where the population is over 15,000, and not over 20,000, the annual salary of the mayor may be \$2,000.00, and of each commissioner \$1,700.00.

Where the population is over 20,000, and not over 30,000, the annual salary of the mayor may be \$2,500.00, and of each commissioner \$2,000.00.

Where the population is over 30,000, and not over 40,000, the annual salary of the mayor may be \$3,500.00, and of each commissioner \$3,000.00.

Where the population is over 40,000, and not over 60,-

000, the annual salary of the mayor may be \$4,000.00, and of each commissioner \$3,500.00.

Where the population is over 60,000, and not over 80,000, the annual salary of the mayor may be \$4,500.00, and of each commissioner \$4,000.00.

Where the population is over 80,000, and not over 100,000, the annual salary of the mayor may be \$5,000.00, and of each commissioner \$4,500.00.

Where the population is over 100,000, and not over 200,000, the annual salary of the mayor may be \$6,000.00, and of each commissioner \$5,500.00.

All such annual salaries shall be payable in equal monthly installments, and, where the number of inhabitants is referred to in this section, it shall mean the number of inhabitants according to the state or federal census last preceding the election of mayor and commissioners.

§ 31. All other officers, assistants or employes of such city or village shall receive such salary or compensation as the council thereof shall by ordinance provide, payable monthly or at such shorter periods as the council may determine, but no change shall be made in said salaries during the six months' period preceding any regular biennial election.

MEETINGS AND ORDINANCES.

§ 32. Regular meetings of the council shall be held on the first Monday after the mayor and commissioners shall have entered upon the performance of their respective official duties, and thereafter at least once each week. The council shall provide by ordinance for the holding of regular meetings, and special meetings may be called from time to time by the mayor or two commissioners upon giving not less than twenty-four hours' notice to all members of the council: Provided, however, that if all members of the council are present at such special meeting no notice of such meeting shall be necessary. All meetings of the council, whether regular or special, shall be open to the public.

The mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in any department. The commissioner of accounts and finance shall be vice president of the council, and in case of vacancy in the office of mayor or the absence or inability of the mayor, shall perform the duties of mayor.

§ 33. Every ordinance or resolution appropriating any money or ordering any street improvement or sewer, or making or authorizing the making of any contract or granting any franchise, right or license to occupy or use the streets, alleys, highways, bridges, viaducts, public property or public places in the city or village for any purpose, shall remain on file with the city or village clerk for public inspection, complete in form in which it is finally passed, at least one week before the final passage or adoption thereof.

§ 34. Every grant of any franchise, right or license to occupy or use the streets, alleys, highways, bridges, subways, viaducts, public property or public places for aerial way, interurban, suburban, subway, elevated or street railways, gas, water works, electric light, power plants, heating plants, telegraphs, telephone systems or other public service utilities within said city or village, must be authorized or approved by a majority of the electors voting thereon at a general or special election as provided herein, except as otherwise provided in Section 4 of this Act.

§ 35. Upon the passage of any ordinance or ordinances by the council granting any franchise, right or license specified in Section 34 of this Act, the same shall forthwith be submitted to a vote of the electors of said city or village at a special election called by such council for such purpose, and notice of which shall be given in the same manner and form and within the same time by the same persons as notices of special elections within said city or village are required to be given under the election law in force in such municipality, except as otherwise provided in this Act.

The ballots used when voting upon said ordinance or ordinances shall contain these words: "Shall the city or village (name of city or village) adopt the ordinance (stating the nature of the proposed ordinance) ?"

The proposition or propositions to be voted upon shall appear in plain, prominent type, and on a separate and distinct ballot, and the names of no candidates for any office or offices, nor any other proposition or propositions except those authorized under this Act, shall appear thereon, and such ballot and the manner of voting the same shall substantially comply with Section 16, and all amendments thereto, of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891": Provided, that two or more such ordinances specified in Section 34 may be submitted at the same time and upon the same ballot: Provided, further, that any one or more ordinances, as hereinafter provided for in Sections 47 and 48, may be submitted at such election upon the same ballot, if all the other requirements of this Act relative to such proposed ordinance or ordinances shall have been complied with.

The style of all ordinances passed by municipalities adopting this Act shall be: "Be it ordained by the council of the city (or village) of"

§ 36. No special election shall be called for the approval or rejection of any ordinance mentioned in Sections 34 and 35, if a general municipal election provided for by law occurs within ninety days after the passage thereof, in which case such ordinance or ordinances shall be submitted to a vote of the electors of said city or village, at such general municipal election in manner and form as provided herein.

If a majority of the qualified electors, either at a general or special election, voting on such ordinance or ordinances respectively, shall vote in favor thereof, such ordinance or ordinances shall thereupon become a valid and binding ordinance of the municipality.

OFFICERS NOT TO BE INTERESTED IN CITY CONTRACTS.

§ 37. No mayor, commissioner, officer, assistant or employe elected or appointed in any such city or village shall be interested, directly or indirectly, in any contract or job for work or materials, or profits thereof, or services to be furnished or performed for the city or village, and no mayor, commissioner, officer, assistant or employe shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for any person, firm or corporation, operating aerialway, interurban, suburban, subway, elevated or street railways, gas works, water works, electric light plants, power plants, heating plants, telegraph or telephone lines, systems or exchange, or other public utility wholly or partly within the territorial limits of said city or village. No mayor, commissioner, officer, assistant or employe shall request, accept or receive, directly or indirectly, from any person, firm or corporation owning, operating or leasing within or partly within the territorial limits of said city or village any aerialway, interurban railway, suburban railway, subway railway, elevated railway or street railway, gas works, water works, electric light plant, power plant, heating plant, telegraph lines or systems, telephone lines, system or exchange, or other public service utility operating under any grant or franchise, license or rights, or from any steamboat, ship, tug or ferry line leaving or entering or operating within said city or village, any employment, for hire or otherwise, or any frank, free ticket, pass, or free service, either for himself, family, relatives or any other person, or request, accept or receive, directly or indirectly, from any such person, firm or corporation, any

other service upon terms more favorable than is granted to the public generally.

Any violation of this section shall be a misdemeanor and punished by a fine not less than \$100.00 nor more than \$500.00, and shall be ground for removal from office or employment.

Such prohibition of free transportation shall not apply to policemen or firemen in uniform, nor shall any free service to city or village officials or employes heretofore provided by any franchise, or license, be affected by this section.

Any officer or employe of such city or village who in any manner contributes money, labor or other valuable thing to any person for election purposes, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$300.00 or by imprisonment in the county jail not exceeding thirty days, or both, at the discretion of the court.

§ 38. All officers, assistants and employes in any such municipality shall be elected or appointed in accordance with this Act with reference to their qualifications and fitness and for the good of the public service, and without reference to their political or religious faith or party affiliations.

Any candidate for any office authorized to be voted for under this Act, who shall, directly or indirectly, enter into any understanding or agreement to do or not to do any official act in the event of his election to the benefit or advantage of any person, firm, corporation or association in consideration for the influence, support and assistance of said person, firm, corporation or association to bring about the election of such candidate, shall be deemed guilty of giving, or offering to give, a bribe, and if convicted thereof shall be punished by a fine of not less than \$100.00 nor more than \$500.00 or by imprisonment in the county jail not exceeding thirty days, or both, in the discretion of the court, and if elected to office he shall be deemed to have resigned such office by reason of such conviction. Nothing herein contained shall be taken to prevent any candidate from pub-

licly outlining his position or pledging his support for, or opposition to, any measure or prospective measure of a public nature.

§ 39. Every elective officer, elected by the electors of such city or village, shall, within thirty days after qualifying, file with the city or village clerk and publish at least once in a daily newspaper of general circulation, or if there is no daily newspaper published in such city or village, then in a weekly newspaper of general circulation published in such city or village, or if there is no weekly newspaper published in such city or village, then in some newspaper of general circulation published in the county in which such city or village is located, his sworn statement of all his election and campaign expenses (including primary election) and by whom such funds were contributed.

Any violation of the provisions of this section shall constitute a misdemeanor and be punished by a fine not exceeding \$500.00 or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment, in the discretion of the court, and shall be ground for removal from office.

FINANCES AND APPROPRIATIONS.

§ 40. The council shall each month print in a pamphlet form, a detailed itemized statement of all receipts and expenses of the city or village and a summary of its proceedings during the preceding month, and furnish printed copies thereof to the state library, the city library, all the daily and weekly newspapers of general circulation of the city or village, and to persons who shall apply therefor at the office of the city or village clerk. At the end of each year in addition to the duties prescribed in Section 55 of the Act, the council shall cause a full and complete examination of all books and accounts of the city or village to be made by competent accountants, and shall publish the result of such examination in the manner above provided for publication of statement of monthly expenditures.

It shall be unlawful for the council or any commissioner to directly or indirectly expend a greater amount for any municipal purpose than the amount appropriated for such municipal purpose in the annual appropriation ordinance passed for that fiscal year. A violation of this provision by any member of the council shall, upon conviction thereof, subject the offender to a fine of not less than \$100.00 and not to exceed \$500.00.

§ 41. If, at the beginning of the term of office of the first council elected in such city or village under the provisions of this Act, the appropriation for the expenditures of the city or village government for the current fiscal year have been made, said council shall have the power by ordinance to revise, to repeal or change said appropriation and to make additional appropriations in the manner and within the time provided by law.

RECALL OF ELECTIVE OFFICERS.

§ 42. Every incumbent of an elective office, whether elected by a popular vote or appointment to fill a vacancy, is subject to recall and removal at any time by the electors qualified to vote for a successor of such incumbent.

The procedure to effect the removal of an incumbent of such office shall be as follows:

(a) A petition signed by electors entitled to vote for a successor to the incumbent sought to be recalled or removed, equal in number to at least seventy-five per centum of the entire vote for all candidates for the office of mayor at the last preceding general municipal election, demanding an election of a successor of the person sought to be removed or recalled, shall be filed with the city or village clerk or clerk of the board of election commissioners, as the case may be, which petition shall contain a general statement, in not more than two hundred words, of the ground for which the removal or recall is sought.

(b) The petition shall be substantially in the following form:

To the clerk of the city (name of city or village), or Board of Election Commissioners of the city or village of (as the case may be) :

We, the undersigned electors of the city or village of (name of city or village), entitled to vote for a successor to (name of person), an incumbent of the office of (name of office), in said city or village, do hereby demand an election of a successor to said (name of person) for the following reasons, to-wit: (Here state reasons in not more than two hundred words.)

Name	House Number (if any)	Street	Date of Signing

State of Illinois, }
County of..... } ss.

I,....., do hereby certify and make oath (or affirm) that I am upwards of the age of twenty-one years, that I reside at Number.....street, in the city or village of.....of the county of.....and State of Illinois, that the signatures on this sheet were signed in my presence, on the dates set opposite their respective names, and that the same are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing qualified electors, entitled to vote for a successor of (here insert name of person holding office and also the title of the office) and that their respective residences are correctly stated as above set forth.

.....

Subscribed and sworn (or affirmed) to before me thisday of.....A. D. 19....

.....

(Official Character.)

(Seal if officer has one.)

(c) Such petition shall consist of sheets having such form printed or written at the top thereof and shall be signed by electors qualified to vote for such successor, in their own proper person only, and opposite the signatures of each petitioner shall be written by such person his residence address (stating the street and number if there be such) and the date of signing the same. No signatures shall be valid or be counted in considering such petition unless these requirements are complied with and unless the date of signing is less than four months preceding the date of filing such petition.

At the bottom of each sheet shall be added a statement, signed by a resident of the city or village in which the signers thereof reside, with his residence address as aforesaid, stating that the signatures on the sheet were signed in his presence, on the dates set opposite the respective names, and that the same are genuine and to the best of his knowledge and belief the persons so signing were at the time of signing qualified electors, entitled to vote for a successor of the incumbent sought to be removed or recalled, and in cities or villages in which voters are or may be required to be registered, that they were at time of signing said sheet duly registered, and that their respective residences are correctly stated as set forth on such sheet.

Such statement shall be sworn to before an officer residing in the county in which such city or village is located, who is qualified to administer oaths therein. Such petition, so verified, or a copy thereof duly certified by the proper persons, shall be *prima facie* evidence that the signatures, statement of residence, and dates upon such are genuine and true and that the persons signing the same are electors qualified to vote for a successor of such incumbent and in cities and villages in which the voters are or may be required to be registered, that they were at the time of the signing of such petition duly registered voters.

(d) Such sheets shall be fastened together in one document filed as a whole and when filed shall not be with-

drawn or added to or altered in any manner by any person. No signature shall be revoked except by a revocation filed in writing with the clerk with whom the petition is required to be filed and before the filing of such petition. Upon request of any person, the clerk shall furnish a certified copy of such petition and names thereto, upon the payment by such person to the clerk of a fee of one dollar for each 100 names thereto.

(e) Whoever in making the sworn statement above prescribed shall knowingly willfully and corruptly swear falsely shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly. Whoever forges the signatures of any person upon any petition or statement, or residence address, street or number or date of signing, shall be deemed guilty of forgery and on conviction thereof, punished accordingly.

(f) All objections to such petition shall be filed and determined within ten days after the filing of the same: *Provided*, no officer sought to be recalled shall have any voice or vote in determining sufficiently of such petition. All objections shall be determined by the council.

(g) The petition being sufficient, the clerk shall immediately after the expiration of such ten days submit the same to the council without delay, and the council shall order and fix the date for holding the said election, which shall not be less than thirty days nor more than forty days after the expiration of such ten days.

(h) Such election and the primary election immediately preceding the same shall be considered a special election, so far as registration for voters and revision of registry is concerned, but notices of and arrangements for holding such election shall be the same, and such election shall be conducted, returned and the result thereof declared, in all respects as general municipal elections under this Act: *Provided*, the primary election for nomination of a candidate shall be held two weeks preceding such special election, and

only one candidate for each officer sought to be recalled shall be nominated: *Provided, further*, that section 12 of this Act shall also apply to special primary election: *And provided, further*, the statements and petitions of candidates may be filed not less than seven days preceding said primary election.

§ 43. If the officer sought to be recalled or removed, shall resign within five days after the said petition is filed with the clerk, the council shall proceed to appoint his successor, the same as in the case of other vacancies, and no election shall be held: *Provided*, the council shall have no power to appoint the person so resigning: *And, provided, further*, that unless such officer sought to be recalled resigns within said five days said recall election shall proceed.

§ 44. The successor of any officer so removed or resigning shall hold office during the unexpired term of his predecessor. Any person sought to be recalled or removed shall be a candidate to succeed himself, unless he shall resign as aforesaid, and his name shall be placed on the official ballot without nomination.

In any such removal or recall election the candidate receiving the highest number of votes shall be declared elected and in the primary election preceding the same the person receiving the highest number of votes shall be declared the nominee to oppose the present incumbent.

At such special election if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from office upon the qualification of his successor. In case the party who receives the highest number of votes should fail to qualify, within ten days after receiving notice of his election, the office shall become vacant, and the council shall proceed to fill the same as in other vacancies: *Provided*, that the incumbent whose successor was elected and failed to qualify shall not be appointed to fill such vacancy.

§ 45. No recall or removal petition shall be filed

against any officer until he has actually held office for at least twelve months.

§ 46. No person who has been recalled or removed from an elective office, or who has resigned from such office while recall or removal proceedings were pending against him, shall be appointed or elected to any office in said city within one year after such recall or resignation.

INITIATIVE.

§ 47. Any proposed ordinance may be submitted to the council by petition signed by electors of the city or village, equal in number to the percentage hereinafter required. The signature, verification, authentication, inspection, certification and submission of such petition shall be the same as provided for petitions under Section 42 hereof: Provided, such petition shall be filed with the city or village clerk.

If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general municipal election, and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council, such council shall either

(a) Pass such ordinance without alteration within thirty days after the filing of the same with the clerk, or

(b) Forthwith after thirty days from the time of filing such petition, shall have expired, the council shall call a special election, unless a general municipal election occurs within ninety days thereafter, and at such special or general election, such ordinance shall be submitted without alteration to the vote of the electors of said city.

But if the petition is signed by not less than ten nor more than twenty-five per centum of the electors above defined, then the council shall within thirty days after such petition is filed, pass said ordinance without change or submit the same at the next general municipal election occurring

not more than ninety days after the filing of such petition.

The ballots used when voting upon said ordinance shall contain these words, "Shall the ordinance (stating the nature of the proposed ordinance) be adopted," and shall otherwise comply with section 16, and the amendments thereto, of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891." Such proposition shall be submitted on a separate and distinct ballot, except as otherwise provided in this Act.

If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition or which shall be adopted by a vote of the people, cannot be repealed or amended except by a vote of the people.

Any number of proposed ordinances may be voted upon at same election, in accordance with the provisions of this section; but there shall not be more than one special election in any period of six months for such purpose alone: *Provided, however,* two or more proposed ordinances may be submitted separately on the same ballot.

The council may submit a proposition for the repeal of any ordinance or for amendments thereto, to be voted upon at any succeeding general city or village election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly. Whenever any ordinance or proposition is required by this Act to be submitted to the voters of the city or village at any election, the city or village clerk shall cause such ordinance or proposition to be published once in each of the daily newspapers of general circulation published in said city or village, or, in case there is no daily newspaper published in said city or village, then

once in each weekly or semi-weekly newspaper published in said city or village, and if there is no newspaper published in said city or village, then by posting a printed copy of such ordinance or proposition in each of the voting precincts in such city or village, or, as near as possible to the polling place therein; such publication or posting to be not more than twenty nor less than five days before the submission of such proposition or ordinance to be voted upon.

REFERENDUM.

§ 48. No ordinance passed by the council, except when otherwise required by the general laws of the State or by the provisions of this Act, except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the council, shall go into effect before thirty days from the time of its final passage, and if during said thirty days a petition signed by the electors of the city or village equal in number to at least ten per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance; and if the same is not entirely repealed, the council shall submit the ordinance as provided in sub-section (b) of section 47 of this Act, to a vote of the electors of the city or village, either at the general election or at a special election to be called for that purpose; and if such petition protesting against the said ordinance is filed then such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. But in the event of no such petition being filed protesting against such ordinance, then such ordinance shall be in full force and effect. Said petition shall be in all respects in accordance with the provisions of said section 47, except as to the percentage of signers.

§ 49. Any city or village which shall have operated for more than four (4) years under the provisions of this Act may abandon such organization hereunder and accept the provisions of the general law of the State then applicable to cities and villages, by proceeding as follows:

Upon the petition of not less than twenty-five per cent of the electors of such city the following proposition shall be submitted to the general municipal election, to-wit: "Shall the city of..... (or the village of.....) abandon its organization under (the) commission form of municipal government and become a city (or village) under the general law." If a majority of the votes cast at such election be in favor of such proposition, the officers elected at the next succeeding annual city or village election shall be those then prescribed by the Act to which this Act is an amendment, and upon the qualification of such officers, such municipality shall become a city or village as it was at the time of the adoption of this Act by such city or village; but such change shall not in any manner or degree affect the property, rights or liabilities of any nature of such municipality, but shall merely extend to such change in its form of government. The first set of aldermen or president and board of trustees so elected shall be the same number as provided for in such municipality at the time of its adoption of this Act, with the same ward and precinct boundaries, and shall also have the same elective officers as before.

The petition contemplated by this section shall be the same, the election ordered and conducted and the results declared generally as provided for in section 42 of this Act, in so far as the provisions thereof may be applicable.

MISCELLANEOUS PROVISIONS.

§ 50. Every public service corporation or utility shall furnish and provide equal and uniform service alike to all citizens of any city or village adopting the provisions of this Act, and it shall be unlawful and a sufficient ground for

the forfeiture of any franchise for any such corporation to grant free service, or furnish better service, or to furnish service at a lower price or rate, quantity and quality considered, to any person or persons, or otherwise discriminate in the matter of rates of service between citizens of any such city or village adopting the provisions of this Act. Upon proof being received by the council that this section is being violated, they shall at once summon witnesses and investigate, and if they so find then it shall be their duty to immediately cause suit to be instituted to have such franchise forfeited: *Provided, however,* the council shall have power by ordinance to grant any such corporation or utility the right to grant reduced rates to persons specified in such ordinance: *And, provided,* that the council may, by ordinance, authorize any street railway or interurban railway to transport free any member of the police or fire department of said city within the corporate limits thereof, and to authorize the giving of such free transportation in other cases, when the same shall not be in conflict with section 37 of this Act, and the general law of the State, which shall control and govern this sub-division. And when the same shall not conflict with the provisions of an Act of Congress entitled, "An Act to regulate commerce," approved February 4, 1887, and the Act amendatory thereof approved June 29, 1906, and all other Acts amendatory thereto.

Any person, firm or corporation, its agents or officers thereof violating the provisions of this section, and any person, firm or corporation accepting the preference herein named, shall be punished by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), or by imprisonment in the county jail not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment, in the discretion of the court: *Provided,* that any person receiving special favors or privileges referred to in section 50, shall be immune from punishment in case he testifies to any matter referred to therein in pursuance of subpoena from said municipal authorities.

TREASURER.

§ 51. In addition to the other duties now imposed by law upon the treasurer of any city or village, the said treasurer shall make his daily deposits of such sums of money as shall be received by him from all sources of revenue whatsoever, to his credit as treasurer of said city or village, in one or more banks situated in said city or village, to be selected by the president of said council, the commissioner of accounts and finance, and the treasurer of such city or village, or by any two of them, and any such bank, before any such deposit is made therein, shall be required to enter into an obligation with the said council to pay into the treasury of such city or village interest on the monthly balances of such deposits at a rate to be fixed by the president of said council, the commissioner of accounts and finance, and the treasurer, or by any two of them, and which rate may be changed in the same manner—such rate to be not less than three (3) per centum per annum, and shall also execute a good (and) sufficient bond, with sureties to be approved by the president of the said council, and conditioned that such bank will safely keep and account for, and pay over said money. Said president of the council, the commissioner of accounts and finance and the treasurer, in the selection of any such depository bank, shall take into consideration the reputation and solvency thereof, and the sufficiency of the security offered by such bank. All interest paid by any such bank upon such balances shall be collected by the treasurer of said city or village, and shall be by him reported in his next statement following such collection, and shall be considered and treated as a part of the general fund of such city or village, subject to use for any legitimate municipal purpose.

§ 52. Neither the mayor nor any commissioner elected under the provisions of this Act shall be interested directly or indirectly in any public service corporation, nor shall such mayor or commissioner be interested directly or indirectly in any franchise, grant or privilege conferred by city or

village wherein he holds office. Nor shall any such mayor or commissioner have been interested directly or indirectly in any public service corporation or in any grant, franchise or privilege granted by said city or village, within two years prior to the date of his election as such mayor or commissioner.

Any mayor or such commissioner assuming office subject to the disqualifications of this section shall be deemed guilty of a misdemeanor, and shall be punishable by a fine not less than one thousand dollars (\$1,000.00) nor more than five thousand (\$5,000.00), or by imprisonment in the county jail of not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment in the discretion of the court.

§ 53. The council is hereby granted full power and authority to make proper regulations for due inspection of all plants and machinery of any person, firm or corporation exercising or enjoying any right, grant or franchise from any city or village adopting the provisions of this Act. And such council and their authorized agents shall have the right to make all necessary examinations of any plant, appliances or apparatus for the purpose of making the necessary tests to see that such firm, person or corporation comply with the regulations of such council with reference to the quality and the character of the commodity furnished. Said council shall have the power to specify, determine and regulate the quality and character of gas and electricity furnished to it and to the citizens of such city by any person, firm or company furnishing electricity or illuminating or fuel gas; and such cities and villages shall have full power and authority to do and perform all acts necessary to carry out and give full force and effect to the provisions of this section.

§ 54. All contracts, of whatever character, pertaining to public improvement, or the maintenance of public property of any city or village, involving an outlay of as much as five hundred dollars (\$500.00) shall be based upon specifica-

tions to be prepared and submitted to, and approved by the council, and after approval by the council, advertisement for the proposed work, or matters embraced in said proposed contract, shall be made, inviting competitive bids for the work proposed to be done; which said advertisement shall be put in a daily newspaper not less than ten times. All bids submitted shall be sealed, shall be opened by the mayor in the presence of a majority of the council and shall remain on file in the mayor's office and be opened to public inspection for at least forty-eight hours before any award of said work is made to any competitive bidder. The council shall determine the most advantageous bid for the city, and shall enter into contract with the party submitting the lowest secure bid, but shall always, in every advertisement of public work or contract involving as much as five hundred dollars (\$500.00), reserve the right to reject any and all bids. Pending the advertisement of the work or contract proposed, specifications therefor shall be on file in the office of the mayor, subject to the inspection of all persons desiring to bid.

§ 54½. The city council shall elect some secular English daily newspaper published in such city, if there be such, and if not, some secular English weekly newspaper published in such city, if there be one, to be the "official newspaper" for such city. All notices, advertisements, reports, proceedings and miscellaneous matters required to be published by the terms of this Act shall be published in such "official newspaper." Such paper shall be selected by competitive bidding in the same manner as it is herein provided other contracts may be let, and in determining which bidder is the lowest, the local circulation of each of said newspapers shall be a determining element.

OATHS AND BONDS.

§ 55. The mayor and commissioners and all officers, elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the oath or

affirmation prescribed by the constitution; which oath or affirmation, so subscribed, shall be filed in the office of the city or village clerk.

§ 56. The mayor and each commissioner, city or village clerk and city or village treasurer, and such other officers and employes as the council may designate by ordinance, shall, before entering upon the duties of their respective offices, execute bond with good and sufficient security to be approved by the council, payable to the city or village in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the ordinance of said city or village: *Provided, however,* the bonds of the mayor and of the commissioners shall be approved by the judge of the county court of the county in which such city or village or the greater part thereof is located, and shall not be fixed at a less sum than three thousand dollars (\$3,000.00).

The bonds of the mayor and commissioners shall be filed in the office of the county clerk of such county and be by him recorded in his office and carefully preserved.

The bonds of all other officers of such city or village (except the city or village clerk) shall be filed in the office of the city or village clerk, and be by him recorded in his office and carefully preserved. The bond of the city or village clerk shall be filed in the office of the city or village treasurer and be by him recorded in such office and carefully preserved. *Provided, further,* the treasurer's bond shall in no case be fixed at a less sum than the amount of the estimated taxes, special assessments, special taxes, license fees and receipts of the city or the city or village from all sources for the current year.

§ 57. Any town or village or city having a special charter or any area of contiguous territory not exceeding two square miles, which shall have resident thereon a population of at least 300 inhabitants and which is not included

in the limits of any incorporated town, village or city which may take steps to organize as a village or city under the Act to which this is an amendment, in addition to voting upon said proposition to so organize, shall also vote at the same election upon the question of adopting this Act and shall have printed on the same ballot a proposition in the following form:

<p>“Shall the city (or village, as the case may be) of (here insert the name of such city or village) adopt the commission form of municipal government?”</p>	Yes	
	No	

Such proposition shall be voted upon in the manner as near as may be provided by section 16 of an Act entitled, “An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891.”

And if such last named proposition is adopted by a majority vote of such municipality or territory also votes to organize as a city or village under the general law, then this Act shall apply to such city or village and it shall be deemed to be organized under this law or otherwise not.

§ 58. In the construction of this Act the following rules shall be observed, unless such construction would be inconsistent with the manifest intent, or repugnant to the context of the statute:

(a) The words “commissioner,” or “alderman” or “village trustees” shall be construed to mean commissioner when applied to duties under the Act to which this is an amendment.

(b) When an office or officer is named in any law referred to in this Act, it shall, when applied to cities or vil-

lages under this Act, be construed to mean the office or officer having the same functions or duties under the provisions of this Act, or under ordinances passed under authority thereof.

(c) The word "council" shall be considered synonymous with "city council" or "president and board of trustees."

(d) The word "franchise" shall include every special privilege or right in the streets, alleys, highways, bridges, subways, viaducts, air, waters, public places and public property, whether granted by the State or the city or village which does not belong to the citizens generally by common right.

(e) The word "electors" shall be construed to mean persons qualified to vote for elective officers at municipal elections.

(f) The word "city" where used in this Act shall include village.

(g) The term "municipal" or "municipality" where used herein shall mean either city or village.

(h) The word "treating" shall be construed to mean the entertaining of person or persons with food, drink, tobacco or drugs.

(i) The word "treats" shall be construed to mean the food, drink, tobacco or drugs, requested, offered, given or received in treating or for entertainment of a person or persons.

§ 59. The invalidity of any portion of this Act shall not effect (affect) the validity of any portion thereof, which can be given effect without such invalid parts, the intention hereof being that the courts of this State shall presume conclusively that it is the intention of the General Assembly that all the provisions of this Act, which are not in and of themselves invalid, shall be given effect, notwithstanding the courts, but for the provisions of this section, might pre-

sume it to be the intention of the General Assembly that the valid portions of this Act should not be given effect unless the portions thereof which are invalid would also be given effect.

§ 60. All Acts and parts of Acts in conflict with the provisions hereof are hereby rendered inoperative in such cities or villages as shall adopt this Act so long as they remain under this Act: *Provided, however,* nothing contained in this Act shall in any (way) repeal, amend or affect the law pertaining to the making of local improvements under the provisions of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and all Acts amendatory thereto: *And, provided, further,* that this Act shall not repeal, amend or affect any of the provisions of chapter 105 entitled "Parks," but all the several Acts therein contained shall be and remain of the same effect as if this Act had not been adopted.

Approved March 9, 1910.

PART 2.

AN ORDINANCE

RESISING AND CONSOLIDATING

THE GENERAL ORDINANCES

AN ORDINANCE

FOR

REVISING THE GENERAL ORDINANCES OF THE CITY OF ROCK ISLAND.

WHEREAS, Since the last revision and consolidation of the general ordinances of the City of Rock Island, a great number of new ordinances were passed, many of the existing ordinances were amended, others were repealed and new and more appropriate ordinances were substituted, and

WHEREAS, by reason thereof, it is deemed expedient that all of said ordinances be thoroughly revised and corrected so as to conform to such amendments made, and new subjects and ordinances properly embodied in a general City Code so that the whole should be rendered plain, concise, intelligible and correct; therefore

Be it ordained by the City Council of the City of Rock Island.

CHAPTER 1—AMUSEMENTS

SHOWS, THEATRES AND EXHIBITIONS.

- § 1. Circus, menagerie, etc., to be licensed—Proviso.
2. License may be granted by city council and, in certain cases, by mayor—Rates of license.
3. License to specify what—License to keep good order—Mayor may refuse or revoke license.
4. Bond to be given by circus.
5. Penalty for violation hereof.

License Required of—Proviso. § 1. It shall not be lawful for any person to own, conduct, manage or exhibit for gain, within this city, any circus, menagerie, caravan, show or amusement, or any natural or artificial curiosities, or panoramic show or device, or any theatricals or variety

performances, or any concert or other musical entertainment, lecture, or scientific demonstration, where money is charged directly or indirectly for admission to see, or hear, or operate the same. Provided, that the provisions of this section shall not apply to any public entertainment given, the proceeds of which are for the benefit of any religious, charitable, or educational institution located in the City of Rock Island.

Licenses May be Granted by City Council, and, in Certain Cases, by Mayor—Rates on License. § 2. License may be granted by the City Council, upon application and the payment to the City Clerk of such sum as the City Council may fix in each case. If a meeting of the City Council should not intervene between the time of application and the time license is required to be issued, the Mayor may grant the license, and fix the amount to be paid for the same within the following rates: 1. For each circus, menagerie, caravan or like exhibition, not less than fifty (\$50) dollars, nor more than one hundred (\$100) dollars per day. 2. To proprietors of opera houses and theatres in the City of Rock Island for one year, upon the payment to the City Clerk of fifty dollars in advance. Provided, that any opera house or theatre in said City of Rock Island, which is not licensed by the year, shall be charged license in accordance with the provisions of the following clause:

To managers or agents of theatres, shows, lectures, concerts or exhibitions, performances or entertainments of any kind as herein mentioned upon the following terms: When the highest price of admission to the same is thirty cents or under, two dollars per day shall be charged; where the highest price of admission charged is seventy-five cents or under, and more than thirty cents, three dollars per day shall be charged; and where the highest price of admission exceeds seventy-five cents, five dollars per day shall be charged.

License to Specify What—License to Keep Good Order—Mayor May Refuse or Revoke License. 3. Every license issued under the provisions hereof, shall specify the object

and length of time for which it is issued. It shall be the duty of the person licensed to keep good order about his place of exhibition. The Mayor may refuse to grant any such license, or revoke the same if granted, when he is satisfied that the proposed exhibition is of an immoral or improper character.

Bond to be Given by Circus. § 4. That it shall be unlawful for any person, or persons, firm or corporation to conduct or manage a circus parade upon the streets or avenues of the City of Rock Island without first filing with the City Clerk a bond in the sum of one thousand (\$1,000) dollars for the protection of the city against any damages which might occur to the city through the negligence of the owners of the circuses, or their employees of said show or circus in the injuring of sidewalks, pavements, curbing or other public property.

Penalty for Violation Hereof. § 5. Any person violating any of the provisions of this article, shall be subject to a fine of not less than twenty dollars, nor more than two hundred dollars for each offense.

GAMES.

- § 1. Billiard tables, etc., to be licensed.
- 2. Terms and price of license.
- 3. Use of license regulated.
- 4. Penalty for violation.

Billiard Tables, Etc., to be Licensed. § 1. No person shall, within the corporate limits of said city, keep for public use, or let for hire, gain or profit, any billiard table, pool table, pigeon hole table, bagetelle table or other like table, nine or ten pin alley, or other pin alley, or shooting gallery, or shooting park, without a license for such purpose, under the penalty hereinafter prescribed.

Term and Price of License. § 2. License for any of the purposes named in section one (1), may be granted for

the term of the municipal year in which the same is granted or any unexpired portion thereof, upon the payment by the applicant to the City Clerk for the use of the city the following license fees, viz: "For each billiard table, pool table, ten (\$10) dollars; bagatelle table, pigeon hole table or other like table, five (\$5) dollars; for each nine or ten pin alley, or other pin alley, ten (\$10) dollars; for each shooting gallery, ten (\$10) dollars.

Use of License Regulated. § 3. No such table, alley, or gallery shall be used or let for use on the Sabbath day or night, nor used by or let or hired to any minor, nor any minor allowed to frequent the premises where the same is kept without the consent of his parents or guardian, nor by any intoxicated person, nor any such person allowed to frequent or remain in said premises, nor any gambling allowed in or upon said premises, nor any intoxicating liquor be sold, or kept for sale upon said premises, or allowed to be bought or drank upon the premises without having a saloon license; and said premises shall at all times be kept in an orderly and well governed condition, and shall be closed at midnight of each day, and no games or amusements allowed therein after that hour.

Penalty for Violation Hereof. § 4. Any violation of any of the provisions of this article shall be punished by a fine of not less than ten (\$10) dollars nor more than one hundred dollars, and also in case the person violating is possessed of a license, by a forfeiture of such license, in the discretion of the court or the Mayor.

CHAPTER 2

ANIMALS.

- § 1. Animals not to run at large—owner subject to penalty and animal to be impounded.
2. Pounds to be provided—control of.
3. Animals found at large to be impounded.
4. Animals impounded not to be released until charges paid.
5. If animal not redeemed in 24 hours complaint to be made to magistrate.
6. Magistrate to issue summons and proceed against owner.
7. Procedure against unknown owner—notice—trial—judgment—intervener.
8. Judgment for sale of animal—special execution.
9. Excess received on sale may be paid to owner.
10. Fees of pound keeper—penalty for his neglect of duty.
11. Hindering or resisting officer or letting loose impounded animal.
12. Improperly taking up or impounding animal—penalty.

Animals Not to Run at Large—Owner Subject to Penalty and Animal to be Impounded. § 1. It shall be unlawful for any cow, horse, mule, swine, sheep, goat or cattle of any kind, or any geese, ducks, hens, chickens, guinea-fowl, turkeys, or other fowl to run at large within the corporate limits of said city and any such animal or fowl so running at large shall be impounded and dealt with as hereinafter provided.

Any person owning or having possession of any such animal or fowl who shall suffer, allow or permit the same to run or go at large within said limits shall be fined in any sum not less than three (\$3) dollars nor more than ten (\$10) dollars, to be received in the manner provided for the recovery of other fines for the violation of ordinances, or in the proceedings hereinafter provided for the recovery of costs and expenses of impounding and keeping such animals and fowls, and the finding of such animals or fowls so running at large as aforesaid shall be presumptive evidence that the same was at large by the sufferance and permission of the owner or possessor of such animal. In the succeeding section of this chapter the words "Animals" or "Animal" shall include and apply to fowl or fowls.

Pounds to be Provided—Control of. § 2. There shall be provided and maintained at some suitable place or places in said city, as the City Council may by order or resolution designate, a pound or pounds for the impounding of all animals found running at large within the corporate limits of said city, contrary to the provisions of this or any ordinance of said city, which shall be under the charge of the city marshal or some policeman under him, or the Mayor, with the approval of the City Council, may appoint a pound keeper or keepers to attend the same and to perform the duties hereinafter mentioned.

Animals Found at Large to be Impounded. § 3. It shall be the duty of the marshal, policeman and pound keepers of said city, and all inhabitants of said city are hereby authorized to drive or take away any and all such animals found running at large within said limits to the nearest pound, and the keeper of such pound shall receive and safely keep therein such animal or animals until redeemed or disposed of as hereinafter provided.

Animals Impounded not to be Released Until Charges Paid. § 4. No such animal so impounded shall be released until the owner or claimant thereof shall have paid the keeper of the pound all fees and charges occasioned by and accruing for the impounding, receiving and discharging said animal, and in case suit shall have been begun as hereinafter provided before such animal is released or redeemed, all costs that have been made in said suit and proceedings connected therewith.

If Animal not Redeemed in 24 Hours, Complaint to be Made to Magistrate. § 5. If any animal so impounded shall not be redeemed within twenty-four hours thereafter, the keeper or person in charge of such pound shall at once file with the police magistrate or some justice of the peace of the city a complaint in writing, stating that such animal has been impounded for running or being at large contrary to the ordinance of the city, which statement shall contain a description of such animal, the time when impounded, the

amount of charges, cost and expense then accrued and the name of the owner or person previously having such animal in possession, if the same is known, and if not, then that such owner or person is unknown, which statement shall be subscribed and sworn to by said keeper or person in charge of said pound.

Magistrate to Issue Summons and Proceed Against Owner. § 6. Upon the filing of such statement, if the name of such owner or person be given therein, said magistrate or justice shall immediately issue a summons against the person named in such statement, the same as in other suits for the violation of city ordinances, and shall proceed with such suit in the same manner as in the case of other suits; and upon proof that such animal was found at large contrary to this ordinance, shall render a judgment against such owner or person for the amount of all charges, costs and expenses accrued in impounding and keeping such animal, with all costs of suit. And if it shall appear that such owner or person suffered, permitted or allowed said animal so to run or go at large contrary to this ordinance, then such judgment shall include a fine therefor as provided in section one hereof.

Procedure Against Unknown Owner—Notice—Trial—Judgment—Intervener. § 7. When such statement shows that the owner or person having had previous possession is unknown, the magistrate or justice shall docket the suit in the name of the city against the unknown owner of such animal, describing such animal, and shall at once cause notice of the pendency and time of trial of the suit to be given by the posting of notice thereof in three of the most public places in the city, which notice shall contain the title of the suit as docketed and state that such animal has been impounded for being at large contrary to the ordinance. The amount of charges and expenses due for impounding and keeping such animal, and the time and place of trial of the suit, and also that unless the defendant shall show cause to the contrary, judgment shall be entered by default for such

amount and costs, and such animal sold to satisfy the same. Said notice shall be delivered to the city marshal and copies thereof be by him posted as aforesaid at least five days before the day set for trial. And on or before the time set for trial, said marshal shall make return upon said notice showing the time and the places where he posted the same. If at the time for trial it shall appear that notice thereof has not been given as required, and the defendant does not appear, the suit shall be continued for notice until the proper notice is given, and when, on the day set for trial, or at any time to which the suit shall have been continued for notice, it shall appear that the notice required has been given, or when the defendant appears the magistrate or justice shall proceed to hear and determine the case the same as though the defendant had been personally served with summons therein and rendered judgment in favor of the city for said charges, expenses and costs, or in favor of the defendant according to the evidence in the case. And in any case docketed as aforesaid, if any person claiming to own or to be entitled to the possession of such animal, shall appear and desire to defend the suit, the name of such person shall be entered upon the docket as defendant and the suit shall then proceed as though he had been personally and duly served with summons therein, and in such case if the court find that such person suffered, permitted or allowed such animal to run or go at large contrary to this ordinance, in addition to the judgment for charges and expenses enter judgment for a fine therefor as provided in section one hereof.

Judgment for Sale of Animal—Special Execution. § 8. In case the magistrate or justice shall render a judgment against the owner of such animal, either in case of service, appearance or upon notice as herein before provided, he shall order as part of said judgment that such animal be sold to satisfy the same, and all charges and expenses of keeping such animal subsequent to the rendition thereof and the cost of sale, and shall immediately issue a special execution directing the city marshal to sell such animal.

Excess Received on Sale May be Paid to Owner. § 9.

The City Clerk shall keep an account of all money so received by him on account of such sales, and retain the same distinct from other funds for the period of one year. And if within one year the owner of such animal shall appear before the City Council and satisfy it that he was the owner of such animal so sold and is entitled to the excess of such sale so deposited, the City Council shall direct the same to be paid to him; but if no such owner appears within a year then such money shall become a part of the general fund of the city.

Fees of Pound Keeper—Penalty for His Neglect of Duty. § 10. The keeper of said pound shall be allowed for his services, pursuant to this chapter, the following fees: For receiving and discharging each animal, fifty cents; for the care and feed of each horse, mule, cow or head of cattle of any kind, fifty cents for each day or part of day while impounded; for each head of swine, sheep, goat or geese, twenty cents for each day or part of day while so impounded; for filing each complaint as provided in section five, ten cents, of which fees he shall give an itemized account to the person applying to redeem any such animal to be paid by such person; or in case such animal is not redeemed before suit is begun, then he shall present such account to the magistrate or justice of the peace before whom such suit is brought to be made part of the judgment in said suit. And any keeper of said pound, who shall refuse to receive into such pound any such animal being at large contrary to the provisions of this chapter, or refuse to discharge the same upon payment of fees, charges and costs for receiving, keeping and discharging the same, and in case suit has been begun, costs of suit or who shall neglect or properly feed, water and care for any animal impounded shall be fined not less than five dollars, nor more than fifty dollars.

Hindering or Resisting Officer, or Letting Loose Impounded Animal—Penalty. § 11. Any person who shall willfully hinder, obstruct, or resist any officer or person

lawfully engaged in driving or taking any such animal found so running at large, to said pound or in impounding the same, or in any manner open, break or pull down said pound, or any part thereof, for the purpose of rescuing or removing any animal therefrom, or who shall in any manner take or let out any animal therein impounded without paying all fees, charges, expenses and costs then accrued, shall be fined not less than five dollars nor more than fifty dollars.

Improperly Taking up or Impounding Animal—Penalty. § 12. Any person who shall willfully drive or entice any animal from beyond the corporate limits of said city into the same, or shall aid, or abet the same, or who shall let any animal out of any enclosure in which it may be lawfully confined, or aid or abet the same in order to take up or impound the same, or cause the same to be done, shall be subject to a penalty of not less than five dollars nor more than fifty dollars.

CHAPTER 3.

AUCTIONEERS. .

- § 1. To have license.
- 2. License, how obtained—bond.
- 3. Terms of license, fee.
- 4. Fraudulent sales prohibited.
- 5. Penalty for violation.

No Persons to Exercise Calling of Auctioneer Without License. § 1. No person shall, within the corporate limits of said city, exercise the calling of a public auctioneer, or sell any personal property at public auction, without a license for that purpose, under the penalty herein prescribed.

License—How Obtained—Bond. § 2. License may be issued under the provisions of chapter 16, of these revised ordinances, entitled "Licenses," to any person of full age and good character, upon such person giving bond in the sum of five hundred dollars, with security to be approved

by the Mayor, conditioned for observance of all ordinances of said city applicable to the business so licensed, and upon his paying to the City Clerk the sum herein required therefor.

Terms of License. § 3. Said license may be issued for the term of one month, three months, six months, or one year from the date of such license, but not beyond the municipal year. And for which the applicant shall pay to the City Clerk, for the use of the city the following rates, viz.: For a term of one month twenty-five (\$25) dollars; for a term of three months, fifty (\$50) dollars; for a term of six months, seventy-five (\$75) dollars; for a term of one year, one hundred (\$100) dollars, and the fee allowed to the Clerk for drafting bond, and issuing and registering such license.

Fraudulent Sales Prohibited. § 4. No auctioneer shall fraudulently conspire with any one to induce bidders to offer more than its true value for any article offered for sale by him, or by any artifice, or collusion with any bidder or other person, shall make any fraudulent or unreal sale with intention to defraud or to deceive any party bidding as to the value of any article offered for sale.

Penalty for Violation. § 5. Any violation of any of the provisions of this article shall be punished by a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and also in case the person violating is possessed of a license, by a forfeiture of such license, in the discretion of the court or the Mayor.

CHAPTER 4

BILL POSTING.

- § 1. Person engaging in bill posting must have license.
- 2. Penalty for violation.
- 3. Exception as to local merchants.

§ 1. It shall be unlawful for any person or persons, corporation or corporations, to follow or carry on within the corporate limits of the City of Rock Island, the business of posting bills and distributing upon the streets, alleys, and public grounds of the City of Rock Island, bills, bill-heads, hand-bills, circulars or any papers, bills, or articles of any kind or description for the purpose of advertising, without a license, for that purpose, under the penalty herein prescribed; which license may be issued to any applicant for one day, one week or one month, but not beyond the municipal year, and the applicant shall pay therefor to the City Clerk for said city, as follows: for one day one (\$1) dollar; for one week five (\$5) dollars; for one month fifteen (\$15) dollars; and for one year fifty (\$50) dollars.

§ 2. Any violation of this article shall be punished by a fine of not less than five (\$5) dollars nor more than twenty-five (\$25) dollars.

§ 3. Section one (1) of this article shall not be so construed as to prohibit or prevent the merchants, business men or citizens of this city to advertise their trade or business by means of bills to be distributed within the City of Rock Island.

CHAPTER 5

BREWERS.

- § 1. Brewing—distilling.
2. Violation thereof—Penalty.

Brewing. § 1. No person, firm or corporation shall, within the limits of this city, carry on the business of brewing or making beer, distilling or extracting spirits by distillation, unless he or they shall have obtained a license for such business, for which license he or they shall pay to the City Clerk the sum of twenty-five (\$25) dollars per annum, before such license shall be issued.

Violation Hereof—Penalty. § 2. Any person, firm or corporation who shall violate this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars, and twenty-five (\$25) dollars a day for each and every day he or they shall continue to carry on any such business without a license.

CHAPTER 6

BRIDGES.

An Ordinance for the purchase of the Rock Island and Camden Plank Road Company's bridges and franchises.

Be it ordained by the City Council of the City of Rock Island: § 1. That whenever the bridges of the Rock Island and Camden Plank Road Company across Rock river between said City of Rock Island and the village of Camden, (now Milan), shall be fully completed and put in a proper state of repair, and whenever the capital stock of said company and the bridges, real estate and franchises, now vested in said company, shall be duly transferred and conveyed to

the City of Rock Island by such proper vouchers and deeds of conveyance as shall be sufficient to vest the title thereto in said City of Rock Island, that then the bonds of said city shall issue to said Rock Island and Camden Plank Road Company for the sum of twenty-five thousand (\$25,000) dollars, payable in ten years from the date hereof, and bearing interest at the rate of ten per cent per annum, payable semi-annually at such place in the City of New York as the Mayor of said city and the president of said Plank Road Company shall by agreement appoint.

§ 2. That in the year 1857, and in every year thereafter, there shall be levied upon all the taxable real and personal estate in said city a special tax of one mill on the dollar to meet the interest accruing on the debt hereby above created, said tax to be levied and collected at the same time with other taxes.

Passed July 25, 1857.

An Act legalizing the sale of the bridges, property, franchises, etc., of the Rock Island and Camden Plank Road Company to the City of Rock Island. Approved February 23, 1859.

WHEREAS, The City Council of the City of Rock Island, upon the request of the citizens of said city, and for the purpose of improving the highways into said city and reducing the rates of toll for crossing the bridges of Rock river, near said city, have purchased of the Rock Island and Camden Plank Road Company all and singular the bridges across Rock river, and property, and franchises of every kind, belonging to said Plank Road Company, and in payment therefor, has issued to said Plank Road Company the bonds of said city to the amount of twenty-five (\$25,000) dollars, payable in ten years, from the first day of August, 1857, which bonds bear interest at the rate of ten per cent, payable semi-annually; and, whereas, it is desired by the people

of said city and county of Rock Island, and of all the parties interested therein, that said sale and purchase shall be confirmed and rendered free of all doubt as to its validity; therefore

§ 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, that the sale and purchase of the bridges, franchises, etc., of the Rock Island and Camden Plank Road Company, to and by the City of Rock Island, be and the same is hereby legalized and declared to be as valid and binding upon the parties as though they and each of them had at the time of said sale and purchase, possessed full powers to enter into and make the same; and that all and singular the bridges, property, charter and franchises so sold and transferred, as aforesaid, are hereby vested in the City of Rock Island, its successors and assigns; and that said city, in its corporate capacity, may hold, use, improve, enjoy or transfer and dispose of the same, as fully as the said Rock Island and Camden Plank Road Company was authorized to do under its charter, and before the sale by them to said city, and as fully as they are further empowered to do under this act.

§ 2. That so long as the said bridges, charter, franchise, etc., shall be held and owned by said city the same shall be free from taxation; and the said city shall have full power, by ordinance or resolution, to regulate and manage the same, and may by ordinance, provide for and enforce the collection of penalties for trotting or other immoderate or improper driving upon or across said bridges, or any of them.

§ 3. That this act shall be a public act, and take effect on its passage.

Approved February 23, 1859.

Laws of Illinois, 1859; page 418.

REGULATIONS.

- § 1. Rates of toll prescribed.
2. Rates to be paid by the Rock Island & Milan Street Railway Co.
3. Commutation and return tickets.
4. Crossing without paying toll—penalty.
5. Not to drive faster than a walk—penalty.
6. City bridge tender—powers and duties.
7. Funds to be kept separate.

Rates of Toll Prescribed: § 1. The rates of toll upon animals and vehicles crossing the bridges across Rock river, between this city and Milan, and owned by this city, shall be as follows, to-wit: For each head of hogs or sheep, two cents; for each head of cattle, four cents; for each horse, mule or ass not attached to any vehicle, five cents; for each wagon, carriage, cart, sleigh or other vehicle, loaded or unloaded, drawn by one animal or two animals, ten cents; for each additional animal attached to any such vehicle, five cents.

Rates to be paid by Rock Island and Milan Street Ry. Co. § 2. That there shall be charged to and collected from the Rock Island and Milan Street Railway Company for the use of the City bridges across Rock river by said company the sum of one hundred (\$100) dollars per annum for the term of five years; provided that the said company run, in addition to its regular cars, cars as follows: One car leaving each terminus of its line at six (6) o'clock in the morning and one car leaving each terminus of its line at seven (7) o'clock in the evening of each and every day. Said sum shall be due and payable by said company on the first day of May of each and every year.

Commutation and Return Tickets. § 3. Any persons who shall purchase tickets to the amount of five (\$5) dollars shall be allowed a reduction of ten (10) per cent thereon, and any person crossing said bridges with any wagon, carriage, cart or vehicle who shall pay the prescribed toll thereon, shall be given a return ticket, which will entitle the holder thereof to cross the said bridges free of toll on his return

of the same continuous trip, on presentation of the said ticket.

Crossing Without Paying Toll—Penalty. § 4. If any person shall drive or attempt to drive any animal or vehicle across said bridges, or any of them, without first paying the toll thereon, he shall be fined for every such offense in a sum not less than five nor more than twenty-five dollars.

Not to Drive Faster than a Walk—Penalty. § 5. No person shall ride or drive any animal across or upon said bridges, or any of them, faster than a walk, nor shall any person or persons drive teams with wagons loaded with more than one ton of weight upon the said bridges, or any of them, without leaving a space between said wagons of at least thirty feet. Any person violating any of the provisions of this section shall be fined upon conviction of each offense not less than one (\$1) dollar nor more than five (\$5) dollars.

City Bridge Tender—Powers and Duties of. § 6. The city bridge tender shall have power to arrest any and all persons found in the act of violating any of the provisions of this ordinance, or aiding or abetting in any such violation, and who are liable to escape before a complaint can be filed and a warrant issued for their arrest, and forthwith take all such persons so arrested to the office of the police magistrate, or some justice of the peace for trial and he shall for such purpose have police authority. It shall be the duty of the city bridge tender to attend the Rock river bridge, keep the same free from dirt and in a proper state of repair at the expense of the city. He shall collect the tolls due from all persons crossing the same, and shall, as often as once each month pay the same over to the city clerk, taking his receipt for the same. The bridge tender shall keep a record of all his proceedings, and a set of books, in which shall be entered the receipts and expenditures pertaining to his said office and shall make a report in writing to the City Council at each regular meeting thereof of

the receipts and expenditures during the preceding month; and he shall annually, between the first and tenth days of April, make out and file with the City Clerk a full and detailed account of all such receipts and expenditures, and of all his transactions as such bridge tender during the preceding fiscal year.

Funds Kept Separate. § 7. That from and after the first day of May, A. D. 1910, all moneys received as toll from the city bridges over Rock river be kept in a separate fund and no expenditures made therefrom except for the payment of expenses in maintaining and repairing said bridges and the Camden or Ninth street road.

CHAPTER 7

BURIAL OF THE DEAD.

- § 1. Burial in city prohibited.
2. Body of dead person not to be taken from the city for burial without a permit.
3. Registry of death to be made and certified.
4. Record and burial permit to be made and issued.
5. Permit to be exhibited to sexton who shall thereupon permit burial.
6. Violation hereof—penalty.

Burial in the City Prohibited. § 1. It shall be unlawful for any person or persons to bury the body or bodies of any person or persons within the corporate limits of said city, or to deposit any such body or bodies in any vault within the limits of said city.

Body of Dead Person not to be Taken from City for Burial Without a Permit. § 2. No dead body of any person shall be taken or allowed to be taken from said city for interment by any undertaker or other person until a permit for the removal and burial of such body shall have been granted by the Commissioner of Health.

Registry of Death to be Made and Certified. § 3. It

shall be the duty of every physician, coroner, or midwife who attended any person at a last illness, being present at or informed of the death of any person within said city, to make a registry of such death, stating particularly the cause, time and place thereof, and certify the same to the Commissioner of Health within twenty-four hours after such death.

Record and Burial Permit to be Made and Issued. § 4. Upon receipt of a certificate of death as aforesaid, the Commissioner of Health shall make a record thereof and issue a permit for the removal from the city and burial of the body of such deceased person, and deliver the same to the undertaker having charge of the burial of said body.

Permit to be Exhibited to Sexton, who Shall Thereupon Permit Burial. § 5. It shall be the duty of the sexton of every cemetery, to within two miles of the city limits, before permitting any interment in the cemetery of which he is sexton, to require the undertaker in charge of the body of any deceased person for burial therein, to exhibit a permit from the Commissioner of Health for the burial of such body, and thereupon he shall permit the burial of such body, or its deposit in the vault in said cemetery.

Violation Hereof—Penalty. § 6. Any person violating, disobeying, neglecting or failing to comply with any provision or requirement of this chapter shall, for every such offense, be subject to a fine of not less than ten dollars nor more than one hundred dollars, in the discretion of the court or magistrate having jurisdiction thereof.

CHAPTER 8

BUTCHERS, ETC.

- § 1. Butchers must obtain license.
- 2. Sale of undrawn animals prohibited.
- 3. Offal.
- 4. Place of storing meat to be clean.
- 5. Inspection.
- 6. Transportation of meat through streets.
- 7. Rendering offal.
- 8. Slaughtering.

License. § 1. That it shall be unlawful for any person or persons, company or corporation, within said city, to sell, offer or expose for sale, any fresh meat, excepting venison, poultry, fish or wild game, in any quantity, unless he or they shall have obtained a license for such business, for which license he or they shall pay to the City Clerk the sum of five (\$5) dollars per annum. Provided, that nothing herein shall prohibit any person from selling beef or other fresh meat by the quarter, or any greater or less quantity, at any time or place in the said city, provided the same is the produce of his or their farm or his or their own raising.

Undrawn Animals. § 2. It shall be unlawful for any person, firm or corporation within the limits of the City of Rock Island to sell, offer or expose for sale, any fish, fowl or other animal, used for food purposes, refrigerated or otherwise, which has not been properly drawn and prepared by removing the viscera (bowel-entrails) at the time of slaughter.

Offal. § 3. That no butchers' offal or garbage, nor any dead animals, nor any putrid or stinking animal or vegetable matter shall be thrown by any person, or allowed to go into any street, place, sewer or receiving basin, or into any standing or running water or excavation, or upon any ground or premises in the said city.

Storage of Meat. § 4. That every person being the owner, lessee, or occupant of any room, stall or place where

any meat, fish, or vegetables, designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall and place and its appurtenances in a clean and wholesome condition; and every person having charge, or being interested, or engaged, whether as principal or agent, or in respect to the custody or sale of any meat, fish, birds, fowl, or vegetables, designed for human food, shall put and preserve the same in a clean and wholesome condition, and shall not allow the same or any part thereof to be poisoned, infected or rendered unsafe or unwholesome for human food.

Inspection. § 5. That every butcher, grocer and milk dealer, and their agents, shall allow the parties authorized by the board of health, to freely and fully inspect their cattle and milk, meats, fish and vegetables, held, offered or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

Transportation. § 6. That no person or corporation, individually or by his agents, servants or employees, shall transport meat or poultry of any description through the public streets or ways of the city of Rock Island, except in wagons or vehicles which have been thoroughly washed at least once in every twenty-four hours. All meat or poultry transported through the streets and public ways must be thoroughly covered in such a manner as to preclude infection or contamination from flying dust or other causes.

Rendering Offal—Fertilizers—Glue and Glucose. § 7. No person shall, within the limits of this city, carry on the business of rendering the offal, fat, bones or scraps from dead animals, or any carcass or any dead animal matter whatever, or the cleaning or rendering of intestines, or the manufacture or production of fertilizers, glue, or glucose, unless he or they shall have obtained a license for such business, for which license he shall pay to the city clerk the sum of twelve (\$12) dollars and fifty (50) cents per annum be-

fore such license shall be issued. Provided, that this section shall not apply to persons rendering the offal, fat, bones or scraps of animals of their own slaughtering, when fresh from the slaughtered animal and in a condition free from soreness or taint, and all other causes of offense. And, provided further, that this section shall not apply to persons rendering the offal, fat, bones or scraps of animals, or animal matter necessary or convenient for their business in the manufacture or production of soap, candles, tallow, or lard oil. Any person who shall violate this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than twenty-five (\$25) dollars, nor more than one hundred (\$100) dollars, and twenty-five (\$25) dollars a day for each and every day he shall continue to carry on any such business without a license.

Slaughtering — Packing—Soap—Candles—Lard—Tallow—Lard Oil—Hides. § 8. No person shall, within the limits of this city, carry on the business of slaughtering animals for food, packing them for market, or rendering the offal, fat, bones or scraps of such animals, or to engage in the manufacture or production of soap, candles, lard, tallow or lard oil, or of buying, selling, storing or curing green or salted hides, unless he shall have obtained a license for such business, for which license he shall pay to the City Clerk the sum of twelve (\$12) dollars and fifty (50) cents per annum, before such license shall be issued. Any person who shall violate this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than ten (\$10) dollars nor more than fifty (\$50) dollars, and twenty (\$20) dollars a day for each and every day he shall continue to carry on said business without a license.

CHAPTER 9

CITY ATTORNEY.

Attorney's Duties, Etc. § 1. The City Attorney shall be a licensed attorney in the courts of the state; he shall, when required, advise the City Council, or any of its committees, or any city officers, in relation to all matters of law arising, in which the interests of the city are in question. He shall examine all assessments and tax lists or other papers, in relation to the assessment or collection of taxes or assessments, and approve the same, and draft any ordinance, bond, contract, or instrument of writing, on behalf of the city, or examine and approve the same when required by the City Council, or any of its committees, or the Mayor. He shall, when his services are necessary, prosecute any suit brought in the name of the city before any police or other magistrate, for the recovery of any penalty or otherwise; and shall prosecute or defend in behalf of the city (when the services of an attorney are necessary) in all cases in which the interests of the city, or the official acts of any officer or agent of the city are involved. He shall cause executions to issue upon all judgments recovered in favor of the city, and cause the proper officer to attend to their prompt collection. He shall report to the City Council or the Mayor all cases in which he shall deem it expedient to take an appeal or writ of error on behalf of the city. He shall attend to all regular meetings of the City Council, and on request, all special meetings of the same. The City Clerk shall deliver to him any bond or other paper necessary to be used in any suit or other proceeding, taking his receipt for the same. He shall report to the City Council without delay, after the adjournment of each term of any court of record, and at such other times as he may be required, the state or disposition of all cases of the city pending in such court. He shall examine all fee bills of officers of courts, and others, and certify to the correctness of the same, and the liabilities of the city therefor. But no fee bill for costs

for the prosecution of any person for any criminal offense in the circuit court of Rock Island county, or for jail fees shall be certified to or paid, unless the offender shall have been duly convicted, and such costs cannot be collected from him. The City Attorney, in case of absence or other temporary disability to attend to the duties of his office, may, with the consent of the Mayor and at his own expense, appoint some competent attorney to act in his place. The City Council may authorize the retaining of assistant council or appoint a corporation counsel when deemed expedient. The City Attorney shall not be compelled to bring or prosecute any suit in any case, when he and the court may be satisfied that the case is instituted maliciously or vexatiously, and without any probable cause, or that the interests of the public or of the city will not be subserved thereby.

CHAPTER 10

CITY COLLECTOR.

- § 1. Mailing notices.
- 2. Payments—reports.
- 3. Payments to treasurer—bond.

Mailing Notices. § 1. It shall be the duty of the City Clerk, who shall also be the City Collector of special assessments and special taxes, into whose hands all warrants for collection shall so come, as far as practicable, to call upon all persons resident within the corporation whose names appear on the assessment roll, or the occupants of the property assessed, and personally or by written or printed notice left at or mailed to his or her abode, inform them of such assessment and request payment of the same. Any such collector, omitting to do so, shall be liable to a penalty of ten (\$10) dollars for every such omission, but the validity of the special assessment shall not be affected by such omission.

Payments—Reports. § 2. It shall be the duty of such collector to write the word “paid” opposite each tract or lot on which the assessment is paid, together with the name and postoffice address of the person making payment, and the date of payment.

It shall be the duty of the City Clerk and collector of special assessments, by the second Monday in April of each year, to make a report to the general officers of the county, authorized or to be designated by the general revenue law of this state, to apply for a judgment and sell lands for taxes due the county and state, of all lands, town lots and real property on which he shall have been unable to collect assessments, with the amount of the special assessment due and unpaid thereon, together with his warrant or warrants received with a brief description of the nature of the warrant or warrants received by him authorizing the collection thereof; which report shall be accompanied with the oath of the collector, that the list is a correct return and report of the lands, town lots and real property on which the special assessments, levied by authority of the City of Rock Island, remain due and unpaid; that he is unable to collect the same or any part thereof, and that he had given the notice required by law that the warrants have been received by him for collection.

He shall also file with the County Collector, on or before the fifteenth day of March in each year and every year, a list of all delinquents for special assessment or special tax which may remain in his hands, according to the state law in such case made and provided.

Payments to Treasurer—Bond. § 3. Said City Clerk as collector, shall pay over to the City Treasurer at the end of each week all moneys collected by him from any source whatever, taking his receipt therefor, and he shall keep proper books of account and make report as provided by law.

The City Clerk, as such collector, shall, before entering

upon the duties of his office, execute a bond with sureties to be approved by the finance committee and City Council, in the sum of five thousand (\$5,000) dollars, and to be filed with the City Treasurer, conditioned for the faithful performance of the duties of his office.

CHAPTER 11

CITY CONTRACTS AND SUPPLIES.

- § 1. Contracts amounting to over \$100.00 to be let to lowest bidder.
- 2. Council to fix time of letting contracts.
- 3. Bids to be sealed.
- 4. Council may reject all bids.
- 5. All supplies to be purchased upon order.

§ 1. That every contract for the City of Rock Island, other than contracts for public improvements, when the expense thereof exceeds the sum of one hundred (\$100) dollars, shall be let to the lowest responsible bidder.

§ 2. The Council shall determine at least one week in advance the meeting at which the bids are to be opened and by resolution state the nature of the contract and such information as bidders shall need in making their bids.

§ 3. The bids shall be sealed, and shall be received by the City Clerk and kept by him until opened by the City Council in regular or special session.

§ 4. The Council shall have the right and authority to reject any and all bids.

§ 5. All purchases for the City of Rock Island shall be made only upon the written order of the Mayor, which shall be countersigned by the City Clerk. The Clerk shall state on all orders the fund out of which the goods or supplies so purchased shall be paid. No purchase or contract for any article, supply, material, live stock or other personal property needed by any officer or department of the city shall be paid out of the city treasury unless ordered as herein provided.

CHAPTER 12

CITY COUNCIL.

- § 1. Meetings of Council—where to be held.
- 2. Regular meetings—when to be held.
- 3. Special meetings—how called—notice of special and adjourned meetings.
- 4. Members to attend—forfeit for non-attendance.
- 5. Mayor to have daily office hours.
- 6. Official Reporter.

Meetings of Council—Where to be Held. § 1. All meetings of the City Council shall be held in a public room in said city, provided by the city for such purpose, and known as the City Council room, and not elsewhere, except in case of public necessity and in pursuance of previous public notice of such change.

Regular Meetings—When to be Held. § 2. Regular meetings of the City Council shall be held on the first, second and third Monday of every month at the hour of seven and a half o'clock p. m., unless in pursuance of previous resolution or order of the City Council and a public notice thereof.

Special Meetings—How Called—Notice of Special and Adjourned Meetings. § 3. The Mayor or any three aldermen may call special meetings of the City Council, in which call shall be specified the time of the meeting. Notice of such call shall be given by the City Clerk, and served on the other members of the City Council by the City Marshal or some police officer, by delivering a copy thereof to each of them or at his place of residence, at least five hours before the time of meeting named in the notice. Notice of adjourned meetings shall be given in like manner to each member of the Council not present at the time of the adjournment.

Members to Attend—Forfeit for Non-Attendance. § 4. Each member of the City Council shall attend promptly each meeting of the Council and continue present during such meeting, and on failure to do so, he shall, unless excused by

the Council, forfeit and pay the sum of three dollars for each omission, to be deducted from his official salary.

Mayor to Have Daily Office Hours. § 5. The Mayor shall attend each day, between the hours of nine and ten o'clock a. m., at the office of the City Clerk, for the performance of such official duties as may be required of him.

The Office of Deputy City Clerk and Official Reporter of the City Council. § 6. The said Deputy City Clerk and Official Reporter shall work under the direction and control of the City Council and City Clerk. It shall be his duty to attend all meetings of the City Council, report the proceedings of the same and keep a complete record of all actions taken by the said council, and perform such other duties during the meeting of the City Council as the City Clerk shall direct: Within twenty-four hours after each meeting the minutes thereof shall be copied into the journal of the City Council kept in the office of the City Clerk, and the minutes of each meeting shall be read at the next regular meeting. Said Deputy City Clerk and Official Reporter shall be appointed by the Mayor for the term of one (1) year, with the approval of the City Council, and shall receive for the work attending upon each meeting the sum of five (\$5) dollars. The Deputy City Clerk and Official Reporter shall subscribe and properly attest under oath the minutes of each proceeding when written up, and his bond shall be fixed at \$1,000, payable to the City of Rock Island, Illinois.

CHAPTER 13

CITY ENGINEER.

- § 1. Appointment and removal.
- 2. Oath, bond and salary.
- 3. Duties.

The office of City Engineer for the City of Rock Island is hereby established.

Appointment—Removal. § 1. The City Engineer shall

be appointed by the Mayor, with the advice and consent of the City Council, and he must be a graduated Civil Engineer.

The regular appointment shall be made at the first meeting of the City Council in May following the election of Mayor, and thereafter every two years.

The Mayor shall have the power to remove the City Engineer from office, whenever it clearly appears that he is incompetent or has been guilty of wilful misconduct in office or gross negligence or carelessness in the performance of the duties of his office.

Oath—Bond—Salary. § 2. The City Engineer shall subscribe to the oath prescribed for the other City Officers, and shall give bond, to be approved by the City Council, for the faithful performance of his duties, in the penal sum of two thousand (\$2,000) dollars.

He shall devote as much of the time to the duties of his office as the faithful performance of the same may require.

All city work shall, in every instance, be given preference. He shall be held strictly responsible for all his official acts and for the efficient and economical administration of his department. In the purchase of supplies and employment of assistants for help, the City Engineer shall act only by the authority of the Street and Alley Committee, first obtained, except that in the case of small articles, the committee may authorize such digression as they deem for the best interests of the city.

He shall receive as compensation for his services the sum of twelve hundred (\$1,200) dollars per year, payable in equal monthly installments.

Duties. § 3. The City Engineer shall prepare plans, specifications and estimates for public improvements.

He shall be superintendent of construction for all public works, and have immediate charge of all contract work for grading, paving and improving streets and alleys, for

constructing sewers, for the extension of water mains and water supply, for constructing and repairing bridges, etc., and all such other work as the Mayor or proper committees of the City Council may direct. He shall inspect all material and labor used in his department and certify to the correctness of the bill for the same.

The City Engineer shall make all surveys required within and for the City of Rock Island for the purpose of establishing the boundaries of city property, establishing grades, making new improvements, etc.

He shall keep a complete record of all the work done in his department and preserve all books, maps, profiles and other papers and documents to be turned over to the City Clerk at any time said Engineer's services are dispensed with.

All principal entries made in said records and books shall be properly indexed at the time the same are entered. Such records as the Mayor may designate, shall be open for inspection of all persons interested in the same.

He shall examine all petitions for permits to open streets, alleys or public grounds for the purpose of making connections with sewers or water mains, and report to the City Council in regard to the advisability of granting such petition, and in case his report is adverse to granting it, he shall state his reasons in such report.

Report. § 4. At the first meeting in May of every year, the City Engineer shall make a full report in writing to the City Council, showing the work performed by his department during the year, together with such recommendation with reference to future work as he may deem fit.

CHAPTER 14

CITY JAIL.

- § 1. City jail established.
- 2. Who may be imprisoned.
- 3. City marshal, jailer—to receive and confine prisoners—may appoint deputy.
- 4. Jailer to keep register—make rules—report.

City Jail Established. § 1. A city jail shall be kept and maintained by the City of Rock Island, and shall be located in the building known as the City Hall.

Who May be Imprisoned. § 2. Every person committed to imprisonment for the violation of any of the provisions of any ordinance of said city, whether for non-payment of fines or otherwise, shall be imprisoned in said city jail.

City Marshal, Jailer—To Receive and Confine Prisoners—May Appoint Deputy. § 3. The city marshal shall be the keeper of the city jail and have the custody of all prisoners confined therein; and shall receive and confine therein, until discharged by due course of law, all persons who shall be committed to such jail by any competent authority. He may detail a policeman to assist him as jailer, and when necessary may appoint an assistant jailer under him and remove him at pleasure, for whose conduct he shall be responsible.

Jailer to Keep Register—Make Rules—Report. § 4. The jailer shall keep a calendar of all persons committed to said jail, wherein he shall register the names of all prisoners, the time, cause and authority of their commitment, and the time and manner of their discharge. He may make and enforce such reasonable rules and regulations as he may deem proper for the government and control of said jail and the prisoners confined therein, subject, nevertheless, to revision and revocation by the City Council, and shall make report of the condition and management of the jail when required so to do by the city Council.

CHAPTER 15

CITY TOOLS AND IMPLEMENTS.

- § 1. City officers to make and report a list of tools and implements.
2. To report all tools carelessly lost and by whom.
3. All tools to be branded and safely kept.
4. All tools, implements, etc., to be purchased only on order of the mayor.

City Officers to Make and Report a List of Tools, Etc.

§ 1. The City Street Commissioner, City Marshal, City Clerk, City Weigher, Bridge Tender, Superintendent of Waterworks, Chief of the Fire Department and all other officers of said city, are respectively directed and required to make and report to the City Council, at its last regular meeting in each municipal year a list of all tools, implements, furniture and apparatus belonging to the city, for use in their respective offices and departments, showing therein the kind and number of such tools, implements, furniture and apparatus then on hand, and what, if any, have been lost or destroyed, and how.

To Report all Tools Carelessly Lost, and by Whom. § 2.

If any officer or employe of said city shall carelessly lose, destroy or damage any of such tools, implements, furniture or apparatus, the officer having charge of the same shall promptly report such loss to the City Council, stating the character and value of the article and the name of the person by whom lost, destroyed or damaged.

All Tools, Etc., to be Marked and Safely Kept. § 3.

So far as practicable, all such tools, implements, furniture and apparatus belonging to the city shall be, by the officer in whose department or office the same shall be used, branded or otherwise clearly marked with the words, "City of Rock Island," and when not in use shall be properly stored and kept in some safe and convenient place.

All Tools, Etc., to be Purchased Only on Order of the Mayor. § 4. All tools, implements, furniture and appa-

ratus required by any of such officers, for the use of the city, shall be purchased only upon the written order of the Mayor, whose order or certificate shall accompany all bills presented to the City Council for payment therefor.

CHAPTER 16

CLAIRVOYANTS, PALMISTS AND FORTUNE TELLERS.

- § 1. Palmist, etc., to have license.
- 2. Terms of license.
- 3. Penalty.

Clairvoyants, Palmists, etc., to Have License. § 1. No person or persons in this city shall conduct, manage or pursue the avocation or business of clairvoyant, palmist, fortune teller, or any like avocation, or pursue for gain, or advertise the same in any manner, whether by signs, in print, or otherwise, without first having obtained a license therefor.

Terms of License. § 2. Such license may be issued by the City Clerk, by and with the consent of the Mayor, upon the payment of ten (\$10) dollars per day; or fifty (\$50) dollars per week for each and every week or fraction thereof, not exceeding the municipal year.

The Mayor may refuse to grant any such license, or revoke the same when granted, when he is satisfied that such avocation is conducted for immoral or improper purposes, or in an immoral or improper manner.

Penalty for Violation. § 3. Any person or persons violating any of the provisions of this ordinance shall be subject to a fine of not less than ten (\$10) dollars, nor more than one hundred (\$100) dollars for each offense.

CHAPTER 17

CORPORATE SEAL.

- § 1. Corporate seal established.
- 2. City Clerk to keep and use.

Corporate Seal Established. § 1. The seal heretofore provided and used by and for the City of Rock Island, (the impression of which is, in the center an Indian, with bow and arrow, standing beneath a tree; on the right a steamboat, with hills in the distance; and on the left a locomotive, surrounded by the inscription, "City of Rock Island, Illinois.") shall be and hereby is established and declared to be the corporate seal of the City of Rock Island.

City Clerk to Keep and Use Seal. § 2. The said seal shall be and remain in the custody and keeping of the City Clerk, to be used by him in all cases provided for by the ordinances of said city or the laws of the State of Illinois; and in all such other cases, where, by the laws and customs of any state or nation, the use of the corporate seal of said city may be requisite or proper.

CHAPTER 18

DOGS.

- § 1. Dog registration and tax.
- 2. Owner or dog to register it and pay tax. *
- 3. Metallic check to be furnished and attached to dog—false checks not to be used.
- 4. Metallic checks to be provided.
- 5. Notices to register and pay tax to be posted.
- 6. Violation of foregoing provisions—penalty.
- 7. Dangerous dogs—those in heat, or not muzzled in specified periods not to run at large—penalty.
- 8. Word "dog" defined.
- 9. Fees of city marshal.

Dog Registration and Tax. § 1. No person shall have, keep or harbor in his possession, within the corporate limits

of this city, any dog, until the same be registered, the registration tax thereon, herein required, be paid, and it be checked as herein required; and the other provisions hereof be complied with.

Owner of Dog to Register It and Pay Tax. § 2. It shall be the duty of all persons who shall own, have, harbor or keep in this city any dog, in each municipal year and prior to the first day of June each year, to cause such dog to be registered by its name, if it has any, and its general description, in the office of the city marshal, in a register to be kept by him for that purpose, and to pay to the city marshal a tax of one dollar for every male dog and of two dollars for every female dog, and also to obtain from said marshal and attach to every such dog the metallic check, or plate, hereinafter required to be furnished by him.

Metallic Check to be Furnished and Attached to Dog—False Checks Not to be Used. § 3. The City Marshal shall, at the time of such payment, deliver as a receipt therefor; to each person paying said tax, a metallic check or plate having inscribed thereon the letters C. T. P., and the calendar year in figures for signifying that the city dog tax is paid for the municipal year, beginning in the calendar year indicated. The keeper or possessor of any dog, upon which the dog tax is paid as aforesaid, shall place and keep around the neck of such dog, a collar to which shall be attached and kept the metallic check or plate so furnished by the city marshal. Any person causing or permitting any such check to be attached to any dog without having paid the tax on such dog, or causing or permitting to be attached to any dog any check other than that furnished by the city marshal for the purpose, shall be liable to the penalties hereinafter provided.

The foregoing provisions shall not apply to the dogs of non-residents of the city, who are temporarily in the city for a period not exceeding ten days, where the owner or keeper of such dog is known to the city marshal to be a non-resident of the city.

Metallic Checks to be Provided. § 4. The City Clerk shall provide the metallic checks or plates herein required, in such number and of such description as the City Council may direct, and from time to time furnish the same to the city marshal, taking his receipt therefor, and the city marshal shall render an account of the same, the disposition made thereof, and the dog tax received by him, whenever required by the City Council.

Notice to Register and Pay Tax to be Posted. § 5. The City Marshal shall, in each municipal year, and on or before the tenth day of May of each year, cause to be posted generally throughout the city, printed notices notifying all persons owning or keeping dogs within the city, to register the same and pay the tax thereon at the marshal's office on or before the first day of June next thereafter; but the omission to give such notice shall not excuse any person for any violation or failure to comply with any of the requirements of this chapter, or relieve any person of any liability thereunder.

Violation of Foregoing Provisions—Penalty. § 6. Any person violating or failing to comply with any of the foregoing provisions of this chapter, on conviction thereof, shall, for each offense, be fined in a sum not less than two dollars nor more than twenty dollars and costs, in the discretion of the court or magistrate before whom such conviction is had. And all dogs found in the city without being registered, or without the proper metallic check or plate attached thereto, as herein required, except dogs known to the city marshal to belong to non-residents and temporarily in the city for ten days or less, as aforesaid, are hereby declared a public nuisance, and subject to be abated, destroyed and removed as such.

Dangerous Dogs—Those in Heat or not Muzzled in Specified Periods, not to Run at Large—Penalty. § 7. No fierce or dangerous dog, nor any female dog while in heat, whether registered or not, or having the proper metallic check attached to it or not, shall be permitted to run at large

in the city at any time. And no dog whatever, whether registered or having a proper check attached or not, shall be permitted to run at large within the city at any time, between the first day of July and the first day of October of each year, or at any other time, when by proclamation of the Mayor, danger of hydrophobia shall be declared to exist in the city, unless such dog be securely muzzled. The owner, keeper or possessor of any dog who shall permit the same to go at large in the city contrary to the provisions of this chapter, shall, for each offense, be fined in a sum not less than two dollars nor more than twenty dollars and costs, in the discretion of the court or magistrate before whom the conviction is had. All dogs found running at large within this city, contrary to any of the provisions of this section, are hereby declared to be a public nuisance and subject to be summarily abated, and as such, shall be killed and buried or the carcass otherwise properly disposed of. And it shall be the duty of the City Marshal, all policemen and such other persons as the Mayor may designate, to carry out the provisions of this chapter.

The Word Dog, as Used in This Chapter Defined. § 8. The word dog, as used in this chapter, shall be held and construed to mean all animals of the canine species, both male and female, when not otherwise indicated herein.

Fees of City Marshal and Policemen. § 9. The City Marshal and policemen shall be allowed, as compensation for services rendered under the provisions of this chapter, ten per cent of the dog tax collected, and also a fee of fifty cents for each dog killed and buried, or the carcass otherwise disposed of by them or under his direction, his accounts for which shall be verified by affidavit and be audited and allowed as in other cases.

CHAPTER 19

EXPRESSMEN, CARTERS, ETC.

- § 1. To have license—fee.
- 2. Name and number of license to be affixed to vehicle.
- 3. Charges allowed.
- 4. Carrying trunks, etc.—bond.
- 5. Standing places.
- 6. Penalty for not carrying goods when applied to.
- 7. Penalty for violation.

Expressmen, Carters, Etc., to Have License—Fee. § 1. No person shall, within the limits of said city, pursue the occupation of a public expressman, carter, wagoner, drayman, or any like occupation for the carriage of goods, wares and merchandise, or other property, or in pursuing such occupation either obtain or deliver the same for hire, profit or gain, without a license, to be issued to him for, but not beyond the municipal year, for which license he shall pay to the City Clerk for said city the sum of five (\$5) dollars. And the fact that such person may have procured a license from another municipality within or outside of the State of Illinois to pursue such occupation shall not exempt such person from the provisions of this section.

Name and Number of License to be Affixed to Vehicle. § 2. Every person so licensed shall have and keep his name and number of his license, painted in plain letters and figures, conspicuously placed on the outside of each side of his vehicle, during the continuance of his license, and upon its expiration or revocation, shall remove and discontinue the use of same.

Charges Allowed. § 3. Every person so licensed and registered shall be entitled to charge for carrying freight, goods or other property, except trunks or other traveling baggage, the following rates per load (and where less than a full load is contracted to be carried it shall be deemed a load), viz: for the use of one man and a team for house moving and all other drayage, except for the hauling of baggage, a charge of fifty (50) cents per hour shall be made.

The following rates shall be charged for the hauling of baggage: For one piece for a distance of sixteen (16) blocks or less, twenty-five (25) cents; thirty blocks or less and more than sixteen blocks, fifty (50) cents, and exceeding thirty blocks, seventy-five (75) cents. Where more than one piece of baggage is carried, a reduction of 20 per cent. off the above stated charge shall be made on each piece in excess.

Carrying Trunks, etc.—Bond. § 4. No person so licensed shall carry trunks or other traveling baggage of any description, without, in addition to the payment of the license fixed in Section 1 of this chapter, having first given a bond in the sum of \$500 with good and sufficient sureties, to be approved by the Mayor, conditioned that he will pay all damages which may occur to any person or persons by reason of the careless handling or loss of such article.

Standing Places. § 5. The standing places for persons so licensed shall be the same as fixed for hackmen, etc.

Penalty for Not Carrying Goods When Applied To. § 6. No person licensed for the carriage of goods as aforesaid, when disengaged and his legal charges are paid or tendered to him, shall, without lawful excuse, refuse to carry any goods, when applied to for that purpose, or having undertaken to carry the same, shall omit or neglect so to do.

Penalty for Violation. § 7. Any person who shall violate or neglect to comply with any of the provisions of this article shall be subject to a fine, not to exceed fifty (\$50) dollars.

CHAPTER 20

FERRIES.

- § 1. Ferries to have license.
- 2. License, how obtained—fee—bond—proviso.
- 3. Term of license—renewal—revocation.
- 4. Steamboat to be provided—hours of running—wharves, docks, walks and causeways to be provided.
- 5. Fees for carrying persons and property—printed lists of fees to be posted on boat—penalty for charging greater fee.
- 6. Landing dock location—proviso—additional boats to be provided if necessary.
- 7. Penalty for violation.
- 8. Failure of ferryman to comply with ordinance—prior license shall lapse.

Ferries to Have License. § 1. No person shall establish, keep or use any ferry, or keep or use any boat or other craft for the purpose of conveying persons or property across the Mississippi river to and from any point within the limits of said city, for profit or hire, without having first obtained a license from the City Council of said city therefor.

License, How Obtained—Fee—Bond—Proviso. § 2. Any person may petition the City Council for license to keep a ferry, and if said City Council shall deem such ferry necessary, it shall order the City Clerk to issue a license to such person, upon the payment of a fee therefor, at the rate of one hundred (\$100) dollars a year, the first \$100 to be paid when the license is issued, and the like amount annually thereafter during the term for which license is granted and upon the execution and delivery to said City Clerk of a bond in the sum of five thousand (\$5,000) dollars, conditioned for the faithful discharge of his duties as ferryman and compliance with the laws of the United States, of the State of Illinois, and the ordinances of this city relative to ferries, payable to the City of Rock Island, with sufficient sureties, to be approved by the City Council, which bond shall be filed in the office of the City Clerk: Provided, no such license shall be granted unless the petitioner shall have given notice of his intended application

by publication in some daily newspaper published in said city for five (5) successive issues, the first publication whereof shall be at least ten days previous to the meeting of the City Council at which the application shall be made. Suit may be brought upon such bond for the use of said city, or for the use of any person aggrieved.

Term of License—Renewal—Revocation. § 3. The term for which a ferry license shall continue shall be five (5) years, but the same may be renewed from time to time upon petition at the expiration of the term or terms, without the notice hereinbefore required upon giving the bond and paying the license fee as provided in Section 2 of this ordinance: Provided, however, that such license may be revoked by said City Council whenever the person, firm or company to whom such license was granted, or any person managing such ferry shall violate any of the provisions or neglect to comply with any of the requirements of the ordinances of this city relative to ferries.

Steamboat to be Provided—Hours of Running—Wharves, Dock, Walks, Causeways, etc., to be Provided. § 4. Every person obtaining a license as aforesaid shall forthwith provide and keep in good repair, a good and safe steamboat, such as will comply with the marine laws of the United States, of sufficient size and capacity to carry at least 100 persons and four teams of loaded wagons attached at the same time, and provided with a proper cabin for the reception of passengers, kept neat and well lighted and heated when necessary, said boat shall run from 5:30 o'clock a. m. until 9:30 o'clock p. m. and shall afford safe and speedy passage to all persons and their teams and property during the time aforesaid, unless delay is necessary and except when it would manifestly appear hazardous so to do. He shall maintain and keep the same for the ready and safe conveyance of persons and property across the said river, and shall faithfully attend thereto with such and so many sufficient and safe boats, and so many competent pilots, engineers and other men and proper implements, as shall be necessary to operate such ferry for the accommo-

dation of the public when said river is reasonably passable. He shall provide suitable wharves and docks, with neat and clean waiting rooms, properly lighted and heated when necessary, and also convenient causeways and walks leading to the same, for teams and property and foot passengers, and all other conveniences and safeguards necessary for the embarking and landing of passengers, teams, cattle and other property in safety and without unnecessary delay, and shall keep the said causeways and walks properly lighted with stationary gas, naphtha or electric lights from dark in the evening until daylight in the morning of each day.

Fees for Carrying Persons and Property—Printed Lists to be Posted—Penalty for Charging More. § 5. Any licensed ferry keeper may demand and receive the following fees for carrying passengers and property, and no more: Footmen, each, 5 cents; double team, each, 50 cents; each additional horse, 15 cents; single team, each, 25 cents; horse and rider, 20 cents; neat cattle, 6 or less in number, each, 15 cents; neat cattle, over 6 in number, each, 8 cents; sheep or hogs, 10 or less in number, each, 5 cents; sheep or hogs, over 10 in number, each, 3 cents; and a printed list of such fees, or ferriage, shall, by the keeper of said ferry, be posted and kept continually up, in at least two conspicuous places on the boat, one on the lower deck and one in the passengers' cabin, and every ferry keeper who shall demand, or receive any greater fees, shall be deemed guilty of a violation of this ordinance, and he shall also forfeit and pay to the party aggrieved the sum of five (\$5) dollars and such amount as shall have been taken from him for ferriage.

Landing Dock Location—Proviso—Additional Boats if Required. § 6. The landing dock, or wharf, to be provided by the person so obtaining a license, shall be located as the City Council may direct, and shall be subject to such changes as to location as the City Council may deem necessary and expedient, and may from time to time direct.

Provided, that no person shall be licensed to keep a ferry within three (3) blocks of an established ferry, unless the City Council should deem the same necessary for the public interest.

The City Council also reserves the right to require the ferry keeper to provide additional boats if the Council shall deem the same necessary and required by the traffic to regulate the time of service and the frequency of trips, and full authority in all matters of conveniences, comforts and safeguards to be provided as the interest of the public may require.

Penalty for Violation. § 7. Any keeper of a ferry or any person in his employment, or any person managing such ferry, or any other person or persons who shall violate or fail to comply with any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, in the discretion of the court for each offense, and every trip made, every person carried, and every article of property transported, by any person not licensed, shall be deemed a distinct offense.

Failure of Ferrymen to Comply—Penalty. § 8. If any person, or parties, to whom license has heretofore been granted by the City Council, or by any ordinance, may be authorized to keep and run a ferry, shall fail or neglect for a period of ten (10) days after the passage of this ordinance to file with the City Clerk a bond, as herein provided, to comply with all the provisions of this ordinance, then such license shall be deemed as lapsed and void, and from thenceforth of no effect.

CHAPTER 21

FINES AND PENALTIES.

- § 1. Actions for penalty—how brought.
2. Costs, how taxed and payable—no security for or judgment for costs against city.
3. Prisoner to work on streets—penalty for disobeying, etc.
4. Officer to protect prisoner—person interfering subject to penalty.

Actions for Penalty—How Brought. § 1. All actions and prosecutions to recover any fine, or to enforce any penalty, under any ordinance of this city, shall be brought and the proceedings therein conducted as provided by law in such cases; and when there is no provision relating thereto, then as near as may be in the manner prescribed by law in other cases before police magistrates and justices of the peace.

Costs—How Taxed and Payable—No Security for or Judgment Against the City for Costs. § 2. The police magistrate or justice of the peace, before whom any such actions may be tried, shall be entitled to recover the same costs as are affixed by the statutes of the State of Illinois for justices of the peace in similar cases. Provided, that security for costs on the part of the city shall not be required in any case and judgment for costs shall not in any case be rendered against the city; but in cases where the defendant may be acquitted, or when the costs cannot be collected from the defendant when convicted, the magistrate or justice shall present to some regular meeting of the City Council, a transcript from the docket, showing the costs in such cause, and which may be paid or not, in the discretion of the City Council. In cases where the defendant is acquitted the complainant or prosecutor may be adjudged to pay the costs if it appears to the magistrate that the prosecution was instituted vexatiously, maliciously or without probable cause.

Prisoner to Work on Streets—Penalty for Disobedience, Etc. § 3. Every person committed to the city prison or

calaboose, for failure to pay any fine or costs imposed upon him for violation of any ordinance of said city, shall, when directed or required by the City Marshal, work for said city, upon its streets, alleys, walks or public grounds, or, at such other labor as said city shall provide for and require, as his physical ability will admit, for the space of not more than eight hours each working day, and shall be allowed therefor, exclusive of board, the sum of two dollars for each day's work, on account of such fine and costs, and until the same are paid. Such work shall be performed under the supervision of the superintendent of streets, or such other officer of the city as the City Marshal may direct, who shall have the custody and charge, under the City Marshal, of such person while so employed, and shall keep and report to the keeper of the city prison or calaboose the time made by such person, at such work, which shall be credited upon said fine and costs; and when the same is fully paid, said keeper shall discharge such person from imprisonment, and make return upon the writ, by which he was held, to the magistrate or justice who issued the same showing the payment of said fine and costs and how the same were paid. Every person who shall be put to work, as aforesaid, who shall, while so at work, or on the way to or from such work, escape or attempt to escape from the custody of the officer or person having him in charge, or who shall be refractory or refuse to obey the directions of the officer or person having charge of him, or to labor diligently and industriously, according to his ability, shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding one hundred (\$100) dollars for every such offense.

Officer to Protect Prisoner—Persons Interfering Subject to Penalty. § 4. It shall be the duty of the officer having charge of any such person to protect him from annoyance and insult, and from communication by or with others while at labor, or going to or returning therefrom; and any person who shall annoy or insult any such person in custody, or who shall communicate or converse with or hinder any such person in his work, or assist any such per-

son to escape or attempt to escape from custody, or shall interfere with, molest or hinder any officer or person, having charge as aforesaid, in the performance of his duty, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than one hundred (\$100) dollars.

CHAPTER 22—FIRE

ARTICLE I. FIRE DEPARTMENT.

- § 1. Of what shall it consist.
- 2. Officers—appointment—fire committee.
- 3. Fire committee—meeting—suspension of officers and employes.
- 4. Purchase of supplies.
- 5. Firemen—appointment—removal.
- 6. Chief of the fire department and firemen—salary.
- 7. Chief—powers and duties of.
- 8. Assistant Chief and City Electrician.
- 9. Firemen—duties.
- 10. Employes disobeying orders.
- 11. Tearing down building or other structures.
- 12. Limits may be prescribed at fires.
- 13. Persons under suspicion—Chief may arrest.
- 14. Firemen to wear uniforms.
- 15. Buildings of fire department—use of—fire apparatus—use of—
—not to be taken beyond city limits.
- 16. Draymen and others to assist officers—penalty for refusal.
- 17. Driving over hose.
- 18. Injury to property.
- 19. Returning from fire—fast driving prohibited—penalty.
- 20. Violation of ordinance—penalty.

ARTICLE II. FIRE LIMITS.

- § 21. Fire limits defined.
- 22. Regulations for building.
- 23. Wooden sheds and privies may be erected.
- 24. Smoke and ash houses of fire-proof material.
- 25. Wooden buildings not to be repaired or removed.
- 26. Buildings erected, etc., in violation hereof—nuisances.
- 27. Penalty for erecting, etc., in violation hereof.
- 28. Combustible material not to be left so as to endanger buildings.
- 29. Chimneys—how to be built.
- 30. Stove pipes—how to be adjusted.
- 31. Penalty for violation of sections 27, 28 and 29.
- 32. Shavings, etc., not to be burned in city.
- 33. Gunpowder—how to be kept.
- 34. Covering of buildings in fire limits.
- 35. Shutters on doors and windows.
- 36. Sale of fireworks.

ARTICLE I. FIRE DEPARTMENT.

Of What It Shall Consist. § 1. The fire department of the City of Rock Island shall consist of one chief, one assistant chief and such number of captains and firemen as the City Council may from time to time direct, and the fire committee.

Officers — Appointment — Fire and Light Committee. § 2. The Mayor shall by and with the advice and consent of the City Council in the month of May next following his installation in office, or as soon thereafter as may be, appoint a competent and experienced fireman, a citizen of said city, as such chief, and one other person of like qualifications as assistant chief of said department. The Mayor shall at the same meeting designate and appoint three aldermen who with the Mayor shall constitute a committee to be known as the "fire and light committee," to whom shall be referred all matters pertaining to the fire department, and who shall from time to time make such reports and suggestions to the City Council in relation to said department as they may deem necessary and expedient.

Fire and Light Committee—Meeting—Suspension of Officers or Employes. § 3. The fire and light committee shall meet as often as once in each month at the Mayor's office in said city for the transaction of such business as may pertain to said department, and the chief and assistant chief shall meet and consult with them when requested so to do. They may for incapacity, misconduct or neglect of duty suspend any officer or employe of said department, but shall report their action at the next meeting of the City Council, which may approve or reverse the same.

Purchase of Supplies. § 4. Said committee shall as often as may be necessary advertise in the corporation newspapers for proposals to furnish current supplies for said department, stating the kind and quantity of such supplies required and the time and place of opening the bids; the right to reject any or all bids shall be reserved, provided

that no current supplies shall be furnished nor expenses for repairs incurred, except upon the order of the Mayor and City Council, and no purchase of hose, engine or other apparatus shall be made unless the City Council shall direct the same, after a report of the fire and light committee in the matter. The contract shall then be let to the lowest and best bidder, and the Mayor shall enter into contract for such supplies in the name of the city. No bills on account of the fire department shall be audited, allowed or paid unless the same be ordered by the City Council.

Firemen—Appointment—Removal. § 5. The chief shall recommend, with the consent of the committee, the appointment of such number of able and respectable persons of said city as the City Council shall direct as firemen, to take the care and management of the engines and other apparatus and implements belonging to said department, and with like consent may remove them, and make from time to time such rules and regulations for the government of the department as are not inconsistent with the ordinances of said city, and such as may be deemed necessary to promote the greatest efficiency.

Chief of the Fire Department and Firemen. § 6. The Chief of the Fire Department shall receive a salary of twelve hundred and sixty (\$1,260) dollars per annum. The Assistant Chief shall receive a salary of ten hundred and eighty (\$1,080) dollars per annum. Each captain shall receive a salary of nine hundred and sixty (\$960) dollars per annum. The Electrician is to receive nine hundred and sixty (\$960) dollars per annum. Each fireman shall receive a salary at the rate of seven hundred and eighty (\$780) dollars per annum for the first six months' service, and at the rate of eight hundred and ten (\$810) dollars for the second six months' service and at the rate of eight hundred and forty (\$840) dollars for the second year of service, and at the rate of eight hundred and seventy (\$870) dollars for the third year of service, and at the rate of nine hundred (\$900) dollars per annum for his fourth year of service and for

each year thereafter, besides such other compensation as may be allowed them respectively, by ordinance or resolution.

The increase of salary above stated shall be made in each instance, by the fire and light committee, on the recommendation of the Chief of the Department and the Captain under whom the man is working, and if the fireman is not entitled to this increase above stated at the time same is due, he may be discharged by the Chief, with the consent of the fire and light committee.

This ordinance, be it further understood that each and every fireman in continuous service for one (1) year or more shall be entitled to a fifteen (15) day furlough of each and every year thereafter.

The service in this section contemplated shall be entitled to greater compensation on account of previous employment in such department: Provided, however, that a member of the department who shall have voluntarily quit the service and not for any breach of discipline, shall on again entering the department be entitled to start at the rate of compensation fixed for the second six months period.

Chief—Powers and Duties of. § 7. The chief, and in his absence the assistant chief, shall have command over all members of the fire department, and all other persons who may be present at fires, and shall have police powers at all fires. It shall be his duty to look into the condition of all engines and other apparatus belonging to the city and used for the purposes of the fire department, as often as circumstances render expedient, or when directed so to do by the City Council, or said fire and light committee, and shall keep an inventory of all property used in connection with or belonging to the fire department, together with an account of all expenditures in connection therewith; and shall also keep a list of fires which may occur during his term of office, the cause or origin thereof, if known, the amount of loss, insurance, and such other information as

may be deemed of importance or public interest; and shall make a report thereof to the City Council annually, at least one week before the close of the fiscal year.

The chief of the fire department of this city is instructed, and it is hereby delegated as part of his duty "to prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stovepipes, ovens, boilers and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing or promoting fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and inclosures as may be in a dangerous state to be put in a safe condition."

The chief of the fire department, as the authorized head of said department in this city, is hereby delegated with all lawful authority that can be vested by this Council, to enforce and carry into effect the provisions hereof; and whenever it is desired to abate, regulate and prevent any act or construction or existing structure that may be considered by him dangerous, he is to be the judge of the length of notice that is to be sent to the party upon whom the burden devolves of correcting the dangerous condition.

Any person or persons resisting the chief of the fire department, or those acting for him, in the exercise of his duties specified herein, shall be deemed to be guilty of a misdemeanor, and upon conviction of the same, shall be fined a sum not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars, and for the second, and all subsequent offenses of the same nature, shall be fined in the sum of not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars.

Assistant Chief. § 8. The assistant chief shall be under the control of the chief, but in his absence shall have the chief direction of the fire department, and have the control of all fire apparatus and other property connected with

the department, and in general perform all the duties of the chief.

That an experienced electrician shall be appointed on the fire department to serve as electrician of the fire department of the City of Rock Island.

Firemen—Duties of. § 9. The firemen, under the direction of the chief and his assistant, shall, upon every alarm of fire, repair to the place of fire with the fire apparatus under their care, and there work and manage the same, under the direction of the chief and his assistant, and shall place and work their apparatus in the most effectual manner, until the fire be extinguished.

Employes Disobeying Orders. § 10. Any employe of the fire department refusing to obey the orders of the chief, and, in his absence, of the assistant, or neglect or refuse to perform any lawful duty assigned him, or who shall violate any of the rules and regulations governing the fire department, may be suspended by such chief, and in his absence, by the assistant chief in charge, until the next meeting of the fire and light committee, at which time said officer shall prefer charges, and said committee, after a fair and impartial hearing of all the facts, may, in their discretion, dismiss, suspend, or reinstate; but they shall report their finding and doings in the matter to the City Council, who may confirm or reverse their action.

Any employe of the fire department who shall become intoxicated while either on or off duty shall be summarily dismissed by the chief.

Tearing Down or Blowing Up Buildings or Other Structures. § 11. The chief, or assistant chief, in command during a fire, or, in the absence of both, the Mayor or two aldermen may direct the removal, tearing down or partial destruction of any frame building, erection or fence, for the purpose of checking the progress of the fire; and the officer in command, with the advice and concurrence of the Mayor, shall have power to blow, or cause to be blown

up, with powder, or otherwise, any building or erection during the progress of the fire, for the purpose of extinguishing or checking the same.

Limits May be Prescribed at Fires. § 12. The Chief, and in his absence, the Assistant Chief, may prescribe limits in the vicinity of a fire which no person except persons residing, or owning property therein, members of the City Council or of the fire or police department, and those admitted by the order of the Mayor, shall be permitted to enter except on the order of the officer in command. And it shall be the duty of the police officers to aid in carrying into effect the provisions of this section.

Persons Under Suspicion of Having Caused Fire and Carried Away Property May be Arrested by Chief. § 13. During the progress of a fire and for twenty-four hours after its extinction, the Chief and his assistant shall have power to arrest any person whom they may have reasonable cause to suspect of having wilfully caused such fire, or having carried away during such fire any property belonging to another, and hidden or converted the same to his use, and turn such person over to the police authorities, who shall cause him to be securely held until the charges can be investigated before some court having jurisdiction.

Firemen to Wear Uniform. § 14. The Chief and his assistant, and all members of the fire department regularly appointed, shall wear caps, badges, or uniforms, as the fire and light committee may direct, with the approval of the City Council. Any such chief or assistant, or member of the fire department who shall allow any person not authorized by this section to wear his fireman's cap, badge or uniform, or any person not authorized herein, who shall wear the same, shall be liable to a fine of not less than three (\$3) nor more than ten (\$10) dollars.

Buildings of Fire Department—Use of—Fire Apparatus—Use of—Not to be Taken Beyond City Limits. § 15. No building belonging to the city and used for the purpose

of the fire department shall be used for any other purpose except by permission of the fire and light committee or the City Council; nor shall any person or member of the said fire department having in charge any engine or other fire apparatus, belonging to the city, suffer or permit the same to be applied to any private use, or shall take the same beyond the city limits, except in the immediate vicinity of the city, during the time of a fire, without having obtained permission of the fire and light committee of City Council; and it shall be the duty of the Chief and assistant to see that the engines and other apparatus committed to their care, and the building, or buildings, in which the same are deposited and all things in and belonging to the same are kept neat and clean and in order for immediate use. And it shall be their duty to preserve order and discipline at all times among the men under their charge, and to require and enforce the strict compliance with the city ordinance and rules and regulations of the fire department.

Draymen and Others to Assist Officers—Penalty for Refusal. § 16. It shall be lawful for the Chief or his assistant, Mayor, aldermen or for any police officer to require the aid of any drayman with his horse and dray, driver of a licensed wagon with his wagon and team, carter, expressman, wagoner or any other person, inhabitant or bystander, with his horse and conveyance, in drawing or conveying any engine or fire apparatus, hose carriage or hose, to the fire, and on neglect or refusal of any person to comply with such requisition, the offender shall, for every default, forfeit and pay a fine of not less than three (\$3) nor more than twenty-five (\$25) dollars.

Driving Over Hose. § 17. Whenever any hose of the fire department is laid upon any street or alley for the purpose of being used by the department, it shall not be lawful for any wagon, street car, or locomotive, railroad car, or any other vehicle, to pass over the same, unless the said hose shall have been protected by wooden railings laid along side thereof, and then only at the places so protected, the

driver or owner of any wagon, dray, street car, or locomotive railroad car, or any other vehicle, who shall drive or cause the same to be driven over any such unprotected hose, shall, upon conviction, be fined in a sum not less than five (\$5) nor more than fifty (\$50) dollars.

Injury to Property. § 18. Any person who shall wilfully injure any property belonging to the city pertaining to the fire department, shall, upon conviction, be fined in a sum not less than five (\$5) nor more than fifty (\$50) dollars.

Returning from Fire—Fast Driving Prohibited—Penalty. § 19. No fire engine, hose cart or hook and ladder truck shall be driven faster than a slow trot on its return from any fire or alarm of fire, under a penalty of not less than three (\$3) nor more than fifty (\$50) dollars, to be paid by the person or persons committing the offense.

Violation of Ordinance—Penalty. § 20. Any person who shall violate any or either of the provisions of this article, or any section, clause or provisions of any section of this article, or who shall neglect or fail to comply with any or either of the requirements thereof, or any person hindering or attempting to hinder or in any way interfere with the Chief or Assistant Chief or any firemen of said city, when in the discharge of their legitimate duties, or who shall refuse to obey the lawful commands of the Chief or Assistant Chief, or who shall conduct himself in a noisy and disorderly manner while in the vicinity of a fire, shall, on conviction, excepting as herein is otherwise provided, pay a fine of not less than five (\$5) nor more than one hundred (\$100) dollars.

ARTICLE II. FIRE LIMITS.

Fire Limits Defined. § 21. All that part of said city embraced within the following specified limits shall hereafter be known as the fire limits of said city, viz.: Beginning on the south bank of the Mississippi river in the cen-

ter of Thirteenth (13th) street, running thence southerly, in the center of said street to the center of the alley next south of Fourth (4th) avenue, thence easterly in the center of said alley to the center of Twenty-fourth (24th) street, thence north along the center of said street to the south bank of the Mississippi river, thence westerly along the south bank of said river, to the place of beginning. In case there shall be no alley next south of Fourth (4th) avenue in any part of said fire limits district, then as to such part a line running along such part corresponding with the center line of said alley next south of Fourth (4th) avenue shall be the limit.

Regulations for Building. § 22. No building shall be erected within said fire limits except in conformity with the regulations herein specified:

First. No wooden buildings shall be erected within the said fire limits without permission of the City Council, granted on petition of all the property holders of the block. The term "wooden buildings" used in this chapter shall be understood to embrace and mean all buildings of every description, the outer walls of which are, in whole or part, constructed or built of wood.

Second. No building shall be constructed within the fire limits except by permit of the City Council. Every person, firm or corporation before beginning the construction of any building within the fire limits shall file with the city clerk plans and specifications thereof. The Fire and Light Committee of the City Council and such other city officials and persons as the said committee may designate, shall examine said plans and make to the council such recommendation as they may deem proper.

Third. All joists, beams and other timbers in outside walls, and all wooden lintels and plate pieces shall recede from the outside of the walls at least four (4) inches, and all wooden joists, beams or other timbers in party walls of all buildings hereafter erected within said fire limits, shall

be placed so as not to meet the joists, beams or other timbers in the adjoining building, but be so laid in that the ends of the timbers in one building be half way between the ends of the timbers in the adjoining building.

Fourth. All end and party walls where the buildings connect shall extend above the sheeting of the roof at least twelve (12) inches, or five courses of brick, and in no case shall the planking or sheeting of any roof extend across any party or end wall.

Wooden Privies and Sheds May be Erected. § 23. Privies not exceeding ten (10) feet square and not more than twelve (12) feet in height and detached from other buildings, and sheds not more than twelve (12) feet in height nor more than 256 feet in area, and disconnected from any other building, and having one or more sides entirely open, may be built of wood. But such sheds shall be used only to contain fuel for use upon the premises.

Smoke and Ash Houses of Fire-Proof Material. § 24. All smoke houses and places for the deposit of ashes within the limits of the city shall be of stone, brick, iron or other fire-proof material.

Wooden Buildings Not to be Repaired or Removed. § 25. No wooden building within the fire limits shall be repaired (further than to make good ordinary and natural deterioration) nor enlarged, nor added to, nor shall any wooden building, whether within or without the said fire limits, be removed to any place within the same.

Buildings Erected, Etc., in Violation Hereof.—Nuisances. § 26. Any wooden building erected, enlarged, removed or repaired, or in process of erection, enlargement removal or repairs, in violation of the provisions of this ordinance, shall be deemed a nuisance, and it shall be the duty of the Mayor of the city to give notice to the owner or builder thereof to remove the same, and upon neglect or refusal so to do, to direct that proper steps be taken to abate the said nuisance and to recover the penalties prescribed in this ordinance.

Penalty for Erecting, Etc., in Violation Hereof. § 27.

Any person or persons who shall cause to be built, build, or aid in the erection of any building or part of building within the fire limits aforesaid, contrary to or otherwise than as authorized herein, or who shall enlarge, repair, or cause to be enlarged or repaired any building within said fire limits, or assist therein, or shall cause to be moved or assist in moving any wooden building, contrary in any case to any provision of this ordinance, shall be subject to a fine of not less than twenty (\$20) dollars, and not more than one hundred (\$100) dollars, in the discretion of the court, for each offense, and a like penalty for every forty-eight (48) hours such person, or persons, shall fail to comply with the provisions of this ordinance, or wilfully continue in violation thereof.

Combustible Material Not to be Left so as to Endanger Buildings. § 28. No person shall, within the limits of said city, place any lumber, hay, straw, or other easily combustible material, in any street, alley, public place, or private lot, within sixty (60) feet of any lot or ground in the same block, without the consent of the owner of said lot or ground, or the owner of buildings thereon, and in case such buildings are leased, of the tenant; excepting lumber intended for the erection of buildings on the premises, lumber to be manufactured on the premises, and in cases where the exception may be made without materially endangering contiguous property, small quantities of mill wood or other combustible material for use on the premises.

Chimneys—How to be Built. § 29. It shall be unlawful within said city, to build, or have built, any chimney with walls of less than four (4) inches in thickness of brick or stone, completely imbedded in lime mortar, and hereafter such chimneys shall be plastered on the inside with a smooth coat of mortar, and no chimney shall be constructed with a flue of less than eight by eight inches, and if intended for full two stories of any building, such flue shall not be constructed less than eight by twelve inches.

All chimneys shall be extended at least three (3) feet above the roof.

Stove-pipes—How to be Adjusted. § 30. No stove-pipes in said city, when in use, shall be less than four (4) inches from any wood or other combustible material, unless there is a double circle of tin connected together and with air holes through the connecting tin, between said pipes and such combustible material.

Penalty for Violation of Sections 27, 28 and 29. § 31. Any person who shall violate any of the provisions of Sections twenty-seven (27), twenty-eight (28) or twenty-nine (29) of this chapter, shall be subject to a fine of not less than five dollars nor more than twenty-five dollars for each and every offense, and to a further fine of five (\$5) dollars for every twenty-four (24) hours he or she wilfully continues in violation of any of the provisions of these sections after notice from the Mayor or City Marshal to cease such violation.

Shavings, Etc., Not to be Burned in City. § 32. It shall be unlawful for any person to burn any shavings or other combustible materials, in any street, alley, or other place in said city, less than twenty (20) feet from any wooden building, or after night fall, or in any other than a safe and careful manner. Any violation of any of the provisions of this section shall be punished by a fine of not less than five (\$5) dollars, nor more than twenty-five (\$25) dollars, for each and every offense.

Gunpowder—How to be Kept—Penalty. § 33. No powder magazine or place for storing and keeping dynamite or gunpowder shall be kept or used within this city, except by special permission of the City Council, in each case. No person shall have or keep within said city, except in a licensed magazine, a greater quantity of gunpowder than thirty pounds at one time, and the same shall only be kept in tin canisters or closed kegs, and in a situation remote from fires, lighted lamps, candles, gas, or other in-

flammable matter, and shall not be weighed, opened or exposed, except by daylight. Provided, that wholesale dealers may keep, for storage only, not exceeding three hundred (300) pounds of gunpowder, in closed kegs, containing not more than twenty-five (25) pounds each, in a fire-proof box, securely locked and placed upon wheels outside and adjacent to their places of business, so that the same may be easily moved in case of fire. Any violation of any of the provisions of this section shall be punished by a fine of not less than five (\$5) dollars, nor more than fifty (\$50) dollars, for each offense.

Covering of Buildings in Fire Limits. § 34. The covering of all buildings hereafter erected or re-covered within said fire limits, shall be of metal, tile, slate, or other fire-proof material. Provided, that buildings erected and used for private dwellings may be re-covered with shingles painted with fire-proof paint.

Shutters on Doors and Windows. § 35. All doors, windows and openings of any kind, on the side or rear walls of any and all buildings that shall be built within said fire limits, which shall be used for mercantile, manufacturing or storage purposes, where such side or rear walls are facing, or within forty (40) feet of the side or rear walls of any other buildings, shall be covered with iron shutters. Any person owning or occupying any such building for the purposes aforesaid, and failing to comply with the provisions of this section, shall be fined not less than five (\$5) dollars, nor more than fifty (\$50) dollars, and a further sum of five (\$5) dollars for each day they shall fail to comply with this provision, after notice from the Mayor or City Marshal to comply with the same.

Sale of Fireworks Regulated. § 36. The discharge, firing or use of all fire crackers, rockets, torpedoes, Roman candles, or other fireworks or substances designed and intended for pyrotechnic display, and of all pistols, canes, cannons, or other appliances, using blank cartridges or caps

containing chlorate of potash mixture, is hereby prohibited. Provided that the Mayor or Council may order the public display of fireworks by properly qualified individuals under the direct supervision of experts in the handling of fireworks. Provided also, that such display or displays shall be of such character and so located, discharged or fired as, in the opinion of the Chief of the Fire Department, shall not be hazardous to surrounding property, or endanger any person or persons.

THE SALE OF FIREWORKS AT RETAIL IS PROHIBITED.

The storage or sale of fireworks at wholesale is prohibited, except by permit from the Mayor, issued for a period of one year. Application for permit must be filed with the Chief of the Fire Department at least thirty days previous to the issuing of the permit and must give detailed description of the proposed care and storage of said materials and of the structural conditions and occupancies of the building.

Permits may be issued only after an inspection of the premises by the Chief of the Fire Department or his authorized agent, who shall file with the Mayor and Fire Department a certificate of approval or his disapproval and reasons therefor.

Any person, firm or corporation violating any of the provisions of this section as regards the storage and sale of fireworks shall be deemed guilty of a misdemeanor and be fined not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars for each day's neglect of compliance. Provided also, that violations of other sections of this section shall be considered a misdemeanor punishable by a fine not exceeding ten (\$10) dollars.

The Chief of Fire Department may, at his discretion, remove or have removed, at the owner's expense, all stocks of fireworks or other combustibles exposed for sale, or held in stock in violation of this section.

The Chief of Fire Department shall direct such fire

appliances as in his judgment may be necessary for the premises, and he shall see that two or more persons are instructed in their use, and as to the best means of getting fire alarms to the Fire Department.

CHAPTER 23

GASOLINE.

- § 1. Red can.
- 2. Quantities to be kept.
- 3. Outside of fire limits.
- 4. Storage.
- 5. Penalty.

To be Sold—Red Can. § 1. No person, firm or corporation shall sell or offer for sale, carry or deliver gasoline in the City of Rock Island by retail, unless the same shall be so sold, offered for sale and delivered in a can or other proper receptacle which is painted red; and no illuminating oil, or oil of any kind or any other liquid material other than gasoline shall be sold in a can or receptacle painted red as above specified.

Quantities to be Kept. § 2. No merchant, dealer, painter or other person, company or corporation shall within the fire limits of the City of Rock Island, keep on hand in any store building, cellar or other place within the fire limits a greater quantity of camphene, benzine, bensole, naptha, or other coal oils, or any easily inflammable burning, fluid, than one barrel, not exceeding sixty gallons, of each, at any one time, not exceeding five barrels in all, and benzine, bensole and naptha, kept for retail, shall be sold by daylight only, and shall be kept in a tin can or other metal vessel: Provided, that any dealer, merchant or other person, if he keeps none of the other oils or inflammable substances named or referred to in this ordinance, may keep five barrels of kerosene or two barrels of benzine, or two of any other kind, not exceeding five in all, and if retailed, it

shall be from tin cans or metal cases: Provided also, that kerosene may be retailed by gaslight.

Outside of Fire Limits. § 3. Outside of said fire limits no such merchant, dealer, person, company or corporation shall keep any of said articles other than as above provided without the consent of the City Council.

Storage. § 4. None of the articles or substances named or referred to in Section 2 of this ordinance shall be kept or stored in front of any building or structure, or on any street, alley, wharf, sidewalk or lot for a longer time than is sufficient to receive in store or in delivering the same: Provided, that such time shall not exceed six (6) hours; but this ordinance shall not prevent common carriers from receiving and storing in the usual course of business, in any building belonging to said carrier, said oils and substances for a period not exceeding five (5) days; nor shall this ordinance prevent any merchant from storing for his own use, or for the purposes of sale, in any building or structure said oils and inflammable substances belonging to himself: Provided, they are so stored outside the fire limits, and provided the building or structure in which they are so stored is, and during the time of said storing shall remain, at least three hundred (300) feet from any other building or structure. It shall be the duty of the Chief of the Fire Department to enforce the provisions of this ordinance.

Penalty. § 5. Any person who shall violate or neglect to comply with any of the provisions of this ordinance shall be subject to a fine of not less than three (\$3) dollars nor more than ten (\$10) dollars for each offense.

CHAPTER 24

HACKMEN, ETC.

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| § 1. To have license. | § 7. To give name and number. |
| 2. Number to be affixed to vehicle. | 8. Standing places fixed. |
| 3. Charges allowed. | 9. Omnibus to be licensed. |
| 4. Penalty for not conveying. | 10. Automobile cabmen. |
| 5. May demand fare in advance. | 11. Charges. |
| 6. Police to enforce ordinance. | 12. Penalty for violations. |

Hackmen, Etc., to Have License. § 1. No person shall, within the limits of said city, pursue the occupation of a public hackman, cabman, or any like occupation, for the carriage of passengers for hire, profit or gain, without a license; which license may be issued for the period of three months, six months or one year, but not beyond the municipal year; and for which he shall pay to the City Clerk for said city, twenty (\$20) dollars for one year, fifteen (\$15) dollars for six months, and ten (\$10) dollars for three months.

Number of License to be Affixed to Vehicle. § 2. Every person so licensed shall keep the number of his license painted in plain figures, conspicuously placed on the outside of each side of his vehicle, during the continuance of his license, and upon its expiration or revocation, shall remove and discontinue the use of the same.

Charges Allowed. § 3. Every such person so licensed and registered, shall be entitled to make the following charges: For carrying one passenger over fourteen years of age a distance of sixteen blocks or less, twenty-five (25) cents; and over sixteen blocks and within the city limits, fifty (50) cents; for carrying any passenger under fourteen and over five years of age a distance of sixteen blocks or less, fifteen (15) cents, over sixteen blocks and within the city limits, twenty-five (25) cents; for any child under five years old, attended by any person, no charge shall be made.

Every passenger conveyed by any hackman, etc., as aforesaid, shall be allowed to have conveyed upon such vehicle, free of charge, one trunk and packages, or parcels of baggage, not exceeding in weight one hundred (100) pounds, and a charge of twenty-five (25) cents may be made for each fifty (50) pounds or part thereof, in excess of one hundred (100) pounds of baggage.

Penalty for Not Conveying Passengers When Applied to. § 4. No hackman or person licensed as aforesaid when unemployed and his legal fare is paid or tendered to him, shall, without lawful excuse, refuse to convey, within said city, any person, with or without baggage, as aforesaid, when applied to for that purpose, or having undertaken to convey such person, shall omit or neglect so to do under the penalty herein prescribed.

May Demand Fare in Advance. § 5. Hackmen and others, licensed as aforesaid, may demand his legal fare to be paid in advance by any person seeking to employ him, and may refuse to convey any person who shall fail to comply with such demand.

Policemen to Enforce Ordinances. § 6. It shall be the duty of all policemen to see that all ordinances relating to hackmen and others engaged in carrying passengers for hire, are strictly complied with, and may order away and remove from the stands and other places, any such person not having a license, or not having the number of his license upon his vehicle, as herein required, or not having proper and suitable harness or horses, or whenever his horses are unruly, or he is improperly obstructing any street or public way, or is intoxicated or in any manner misbehaving himself; and all such orders shall be obeyed by such person to whom the same may be given by any policeman, as aforesaid.

Hackman to Give His Name and Number, When Requested—Penalty for Refusal. § 7. Every hackman or other person licensed as aforesaid, shall give to any person requesting the same, his name and the number of his license.

Standing Places Fixed. § 8. Every licensed hackman, cabman, or person of like occupation, shall, while waiting for employment, stand with his vehicle at one of the following places herein, viz.: 1. On Nineteenth street, on either side thereof, beginning at a point sixty (60) feet north of the lot line on Second avenue. 2. On West Seventeenth street, on either side thereof, beginning at a point twenty (20) feet north of the lot line on Second avenue. 3. At railroad depots, steamboat landings, hotels, theaters and other public places, at such times, and for such length of time as may be reasonably necessary for the receiving and discharging of passengers at such places. 4. At such other places, temporarily, where the occupants of the premises, in front of which it is desired to stand for employment, shall give permission to the owner or driver so to do, and with the consent and approval of the city marshal. Such permission and consent, when granted, shall be general, and no preference shall be shown between vehicles of the same class. No owner or driver shall make any stand or stopping place within twenty feet of any street crossing, and the drivers of all such vehicles shall remain and be within twenty feet of their respective vehicles.

Owner or Driver of Omnibus. § 9. The owner or driver of every omnibus in said city, for the carriage of the passengers, for hire, to or from any hotel, public house or depot only, shall have a license therefor, for which he shall pay to the City Clerk for said city, the sum of ten (\$10) dollars; and every person so licensed, and the driver of every such omnibus, shall be subject to the provisions of section 5, 6 and 10 of this ordinance, except that such omnibus need not be numbered.

Automobile Cabmen. § 10. That no person shall, within the limits of said city, pursue the occupation of a public automobile cabmen without a license; which license shall be issued for the period of one year and shall begin on the first day of each municipal year, and for which a fee shall be paid to the City Clerk in the sum of \$30.00.

The rules, regulations and requirements of automobile cabmen shall be the same as those affecting hackmen as far as possible and practicable.

Charges. § 11. Every person so licensed and registered shall be entitled to make the following charges: For carrying a group of two or more persons for any distance within said city, 50 cents; and for each person unaccompanied, 75 cents; children under eight years of age shall be allowed to ride free when accompanied by parent, and children over eight years of age shall pay full fare.

Penalty for Violation. § 12. Any person who shall violate or neglect to comply with any of the provisions of this article, shall be subject to a fine not to exceed fifty dollars.

CHAPTER 25

HEALTH BOARD.

- § 1. Department of health—board—commissioner.
2. General duties and power—to see that business is conducted with regard to health—report delinquencies—request revocation of licenses—advise city authorities—investigate as to existence of disease.
3. To enforce health laws and ordinances—to enter on premises—cause same to be cleaned.
4. Notice to abate nuisance—penalty for not abating—shall have same abated—expense of same.
5. To visit persons having infectious diseases—to remove them when proper—to provide medical attendance.
6. To place notices on houses where pestilential diseases exist—penalty for defacing or removing notice.
7. Cause premises to be cleaned, disinfected, or closed to visitors—penalty for disobeying orders.
8. Shall have charge of all places where contagious or infectious diseases exist—employ assistants and nurses—furnish medicines in case of indigent persons.
9. Persons to be vaccinated—penalty for refusing to vaccinate.
10. To have vaccine virus—give vaccination certificate.
11. To issue quarantine proclamation—approved by mayor.
12. To station physician at quarantine to examine boats, cars, etc., and determine who shall land—duty of person in charge of boat, car or vessel to assist commissioner.
13. To attend sick and supervise quarantine.

14. To give permits to vessels, boats and persons to enter from quarantine.
15. No person shall bring into city contagious diseases—vessels and cars to report at quarantine.
16. Board to make rules for government of quarantine.
17. Expenses of quarantine—how paid.
18. Commissioner to make weekly visits to discover evidence of disease.
19. Inability or absence of commissioner—city marshal to act.
20. To provide books and blanks for births and deaths.
21. Make annual statement to city clerk of appropriations, etc.
22. Commissioner to keep office hours.
23. Health office—salary—duties—general sanitary regulations.
24. Seal.

Board of Health. § 1. There is hereby created an executive department of the municipal government of the City of Rock Island, to be known as the department of health, to consist of the board of health, as herein constituted, together with such employes as the City Council may by ordinance determine. The Board of Health of the City of Rock Island shall consist of seven (7) members, as follows: Mayor, Chief of Police, Health Commissioner and four (4) regularly licensed physicians, practicing their profession in the City of Rock Island. The physicians on the Board shall be appointed by the Mayor and approved by the City Council, and upon the passing of this ordinance they shall be appointed for one (1), two (2), three (3) and four (4) years respectively, and at the expiration of the term of office of each physician a successor shall be appointed, whose term of office shall be four (4) years.

The said Board of Health shall elect its own president. The secretary shall be the health commissioner, who shall be appointed by the Mayor and approved by the City Council. Said department of health shall have the management of all matters pertaining to the public health within said city.

General Duties and Powers—to See that Business is Conducted with Regard to Health—Report Delinquencies—Request Revocation of the Licenses—Advise City Authorities—Investigate as to Existence of Disease. § 2. It shall be the duty of the commissioner of health, at all times, to

see that all business is conducted with due regard to the public health and comfort, and to request the revocation of any license which he may deem necessary for the proper preservation of the public health or comfort, and he shall have and exercise a general supervision over the sanitary condition of the city, and in case of any emergency, to report the same to the City Council. He shall give to the Mayor and other city authorities all such professional advice and information as they may require, with a view to the preservation of the public health; and whenever he shall hear of the existence of any malignant, contagious, or pestilential disease, he shall investigate the same, and adopt measures to arrest its progress.

To Enforce Health Laws and Ordinances—To Enter on Premises—Cause Same to be Cleaned, Etc. § 3. It shall be the duty of the said commissioner to enforce all the laws of the state and ordinances of the city in relation to the sanitary regulation of the city, and cause all nuisances to be abated with all reasonable promptness. And for the purpose of carrying out the foregoing requirements he shall be permitted at all times, from the rising to the setting of the sun, to enter into any house, store, stable or other building, or premises, in order to make a thorough examination of cellars, vaults, sinks or drains, and to cause the floors to be raised, if he shall deem it necessary; and to cause all privies to be cleaned and kept in good condition, and to cause all dead animals or other nauseous and unwholesome things or substances to be buried, or removed, or disposed of as he may direct.

Notice to Abate Nuisance—Penalty for not Abating—Shall have same Abated—Expense of Same. § 4. In order to carry out the provisions of the foregoing section, it shall be the duty of the board of health to serve a notice upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or who may be the owner or cause of such nuisance, requiring him to abate the same within reasonable time. It shall not be

necessary in any case for the board to specify in such notice the manner in which any nuisance shall be abated, unless it shall deem it advisable so to do; such notice may be served by any officer of the city, and if such owner, occupant or agent shall neglect or refuse to comply with such order within the time specified, he shall be subject to a fine of not less than five dollars, nor more than fifty dollars for every such violation; and it shall be the duty of the board, upon the expiration of the time specified in said notice, to cause such nuisance to be abated; whenever the owner, occupant or agent of the premises, in or upon which any nuisance may be found, is unknown or cannot be found, the said board shall proceed to abate the same without notice; and in either case, the expense of such abatement shall be collected from the person or persons who may have created, continued and suffered such nuisance to exist.

To Visit Persons Having Infectious Diseases—to Move Them When Proper—Provide Medical Attendance. § 5. It shall be the duty of said commissioner to visit and examine, or cause to have visited or examined, all sick persons who shall be reported to him as laboring, or supposed to be laboring, under yellow fever, small pox, cholera, or any infectious or pestilential disease, and cause all such infected persons to be removed to such safe and proper place or places as he may think proper and necessary, and cause them to be provided with suitable nurses and medical attendance, at their own expense, if they are able to pay for the same, but if not, then at the expense of the county. All persons having any contagious or infectious disease in the city, are hereby required to be kept and confined within their respective dwellings, or places of abode, or place to which they have been removed, so long as there is danger of transmitting said disease.

To Place Notice on Houses Where Pestilential Diseases Exist—Penalty for Defacing or Removing Notice. § 6. It shall be the duty of said board of health to cause a notice to be placed upon or near any house in which any person

may be affected or sick with small pox, scarlet fever or any infectious, pestilential or epidemic disease, upon which shall be written or printed, in large letters, the name of such disease; and if any person or persons shall deface, alter, mutilate, destroy or tear down such notice, without permission of the board of health, such person or persons shall be liable for each offense, to pay a fine of not less than five (\$5) dollars, nor more than fifty (\$50) dollars; the occupant of any house upon which such notice shall be placed or posted, as aforesaid, shall be held responsible for the removal of the same, and if the same shall be removed without permission of said board, such occupant shall be subject to the like fine, unless he shall notify the board within twelve hours after such removal.

Cause Premises to be Cleaned, Disinfected or Closed to Visitors—Penalty for Disobeying Orders. § 7. Said board of health shall have power to cause any house or any premises to be cleaned, disinfected, or closed to visitors, and prevent persons from resorting thereto while any person is laboring under any pestilential or infectious disease; it may, by an order in writing, direct any nuisance to be abated, or unwholesome matter or substance, dirt or filth to be removed from any house or premises, and may prescribe the time and mode of doing so, and take any measure it may deem necessary and proper to prevent the spread of any infectious, pestilential or epidemic disease; and any person who shall neglect or refuse to obey the orders, directions and instructions of said board of health shall be fined in any sum not less than five (\$5) dollars nor more than one hundred (\$100) dollars.

Shall Have Charge of all Places Where Pestilential Diseases Exist—Employ Assistants and Nurses—Furnish Medicines and Burial for Indigent Persons. § 8. The board of health shall have charge of all houses, buildings and places wherever it may cause to be removed any person laboring or supposed to be laboring under yellow fever, small pox, cholera, or any infectious or pestilential disease,

and shall have power to employ such assistants and nurses as it may deem necessary, and it shall be its duty to see that such houses, buildings and places are supplied with suitable furniture, nourishment, fuel and medicines, and that persons dying therein, or in other places under the charge of the city, are decently and promptly buried at the expense of the county. Provided, such deceased persons have not the means to defray their own expenses of sickness and burial.

Persons to be Vaccinated—Penalty for Refusing to Vaccinate. § 9. The board of health may take such measures as it may, from time to time deem necessary, to prevent the spread of the small pox, by issuing an order requiring all persons in the city, not having a certificate of vaccination, to be vaccinated; to be vaccinated within such time as it shall prescribe; and all persons refusing or neglecting to obey such order shall be liable to a fine of not less than three (\$3) nor more than twenty-five (\$25) dollars. Provided, that it shall be the duty of the board to provide for the vaccination of such persons as are unable to pay for the same, at the expense of the city.

To Have Vaccine Virus—Give Vaccination Certificates. § 10. Said commissioner of health shall always have on hand, as far as practicable, a sufficient quantity of vaccine virus; and he shall vaccinate and re-vaccinate, without charge, all persons who may apply to him for that purpose and are unable to pay for the same; and shall give certificates of vaccination to children who have been vaccinated, and require certificates from physicians for admission to the public schools.

To Issue Quarantine Proclamation to be Approved by Mayor. § 11. Said board of health, whenever, and at such times as by it shall be deemed necessary, may, by proclamation, require all boats, vessels, railroads, cars or other public conveyances bound for this city, before the same shall land or stop at any wharf, depot or landing place, or stopping place therein, to touch or stop at the sites, places or station selected and established for quarantine purposes, and leave

all such emigrants, travelers or persons, and all such sick, diseased or unclean persons, with their stores and baggage, as in the opinion of the officers stationed at such quarantine sites, places or boundaries shall be deemed proper on account of the existence or general report of cholera, yellow fever, or any contagious disease, or diseases apprehended to endanger the health of the city.

To Station Physicians at Quarantine, to Examine Boats, Cars, Etc., and Determine Who Shall Land—Duty of Person in Charge of Boat, Car or Vessel, to Assist Commissioner.

§ 12. Said board of health may also cause to be stationed at any such quarantine, sites, places or stations, one or more physicians or health officers, whose duty it shall be to go on board and examine all boats, vessels, cars or other public conveyances, so as aforesaid required to touch or stop at said quarantines, and then and there determine what emigrants, passengers or persons (if any) shall be permitted to come to the city, and what emigrants, passengers or persons (if any) shall stop at such quarantine; and it shall be the duty of all persons conducting or in charge of any such vessel, boat, car or public conveyance, to aid and assist any such physician or health officer in the exercise of his duties.

To Attend Sick and Supervise Quarantine. § 13. Said physicians or health officers shall attend to all sick persons who may be landed or placed in quarantine, and provide medicines and necessaries for their use, and shall have general supervision of such quarantines, and compel persons therein to purify their bodies, clothes and baggage, and do all such acts and things as shall be proper in the premises, keeping correct accounts of all expenditures and wages.

To Give Permits to Vessels, Boats and Persons to Enter from Quarantine. § 14. Whenever the physician or officer in charge of any quarantine station or place shall be satisfied that there is no longer occasion for the detention of any boat, vessel, car, or conveyance at such quarantine or place, and such boat, vessel, car or conveyance shall have been thoroughly cleansed, and such persons as aforesaid, landed and

placed in the care of such physician or officer, such physician or officer shall give such vessel, boat, car or conveyance a permit, signed by him, to enter the city, which shall be authority for the entry of said boat, car or conveyance, and the said officers respectively shall discharge all persons in quarantine by their certificate for that purpose, whenever they are satisfied that such persons are free of disease and their baggage and effects properly purified. Provided, however, that the board of health in its discretion, by proclamation for that purpose, may, during the prevalence of cholera, small pox, or other contagious or fatal disease, forbid the admission of emigrants or others peculiarly liable thereto, into any or all of said quarantines or stations, until, in its opinion, the health of the city will justify the same.

No Person Shall Bring Into City Contagious Disease—Vessels and Cars to Report at Quarantine. § 15. No person, master, captain or conductor, in charge of any boat, vessel, railroad car, or public conveyance, shall knowingly bring into this city any person diseased of cholera, small pox, yellow fever, or contagious or communicable disease whatsoever; and no vessel, boat, railroad car, or public conveyance, at any time covered by said proclamation, shall pass by any quarantine station or place without stopping, nor shall leave the same without the permit aforesaid; and no person stopping in said quarantine, or so, as aforesaid, received therein, shall leave the same without first obtaining permission as aforesaid; nor shall any person aid or abet any master, conductor or person in charge of any boat, vessel, railroad car, or public conveyance, in violating, neglecting or evading any provision or requirement of this ordinance; nor shall any person interfere with, resist, neglect or refuse to obey the orders of any physician, health officer, policeman or other person in authority at any quarantine station, or place of quarantine, so, as aforesaid established; nor do any act or thing in violation of, or in disobedience to, any of the provisions, clauses or sections of this ordinance; nor shall commit any breach of the peace, or do any act calculated in any way to defeat or interfere

with the provisions or requirements of this chapter, or of any regulation of the said board of health, commissioner, physician or officer in charge of said quarantine.

Board to Make Rules for Government of Quarantine.

§ 16. The said board of health shall make such rules and regulations for the government of the quarantine or health of the city as from time to time it shall deem necessary; and the physicians or health officers in charge of any quarantine station or place shall have power to make and enforce such regulations as may be necessary for the proper conducting and management thereof; and it shall be the duty of the persons in quarantine, and all agents, officers, policemen or others employed by the city in and about said quarantine stations or places, to carry out and obey the same.

Expense of Quarantine—How Paid. § 17. The salaries of the health commissioner and the health officer, and the expense of the quarantine contemplated herein, are to be paid out of the health fund of the city. Provided, that when practicable the persons taken in such quarantine, or stations, and receiving the aid and care afforded thereby, shall pay a sum of money sufficient to meet expenses, labor and care incurred in their behalf, which said money shall be faithfully kept, reported and accounted for by the physician, health officer, or other person in charge of said quarantine or station, to the said board of health. The expense for board, necessary medical attendance, and supplies furnished to parties in quarantine and unpaid by them, shall not be paid by the city but by the county; and no city officer has authority to obligate the city for the payment of the same.

Commissioner to Make Weekly Visits to Discover Evidence of Disease. § 18. It shall be the duty of said commissioner to make a circuit of observations as often as deemed advisable by himself and whenever requested by the Mayor or city marshal, to every part of the city and its environs, which from its location, or from any collateral circumstances, may be deemed the cause of disease; and in all

cases where he may discover the existence of any agent, the presence of which will prove dangerous to the city; and there is no ordinance competent to the correction of the evil, he shall immediately report the same to the City Council, accompanied with his opinion of the necessity of extraordinary or particular action.

Inability or Absence of Commissioner—City Marshal to Act. § 19. During the inability or absence of the commissioner of health, the city marshal shall act as such commissioner; and he and the police force of the city shall at all times serve notices and render all such assistance to said commissioner in the discharge of his duties as he may request; in case the requests of the commissioner of health cannot be complied with consistently with the orders of the Mayor, or in case the city marshal shall deem the request unreasonable, he shall at once report the case to the Mayor for his consideration; the police force of the city shall report to him all nuisances which they may detect, and shall investigate all complaints of nuisances which may be reported to them, and report the same to the commissioner, if in their judgment they are nuisances.

To Provide Books and Blanks for Births and Deaths. § 20. It shall be the duty of said commissioner to provide the necessary books for the keeping of a record of all his transactions, including the proper registration of births and deaths, and such other statistical information as may be necessary; and he shall also keep on hand all necessary blanks to be used by physicians and midwives, and furnish them with the same on application.

Make Annual Statement to the City Clerk of Expenditures, Etc. § 21. Said commissioner shall annually, and before the end of the fiscal year, make and file with the City Clerk, a full and comprehensive statement of all matters pertaining to his office during the year, and of all expenditures from appropriations for the health department, together with an estimate in detail of the appropriations required by the department during the next municipal year.

Commissioner to Keep Office Hours. § 22. The commissioner of health shall fix upon a time not less than one hour in each day, when he shall be present at his office for the purpose of hearing complaints, and performing such official duties as may be required of him.

Health Officer—Salary—Duties. § 23. That an office is hereby created to be known as the office of Health Inspector; said officer is to be appointed by the Mayor, and the said appointment is to be confirmed by the City Council, as in other appointments duly made.

The said officer is to receive a compensation of seventy-five (\$75) dollars per month for his services; is vested with the power of police officer, and is to wear a uniform of a style designated by the health committee and the Commissioner of Health.

The said Health Inspector is to be subordinate to and under the personal direction of the Commissioner of Health, and his said duties as such officer are to be all the general duties and officers that may be required of him by the Commissioner of Health.

§ 24. That provision is hereby made for the establishment and for the exclusive use of the Department of Health in the city of Rock Island, Illinois, a seal (the impression of which has in its center the true ancestral symbol of the healing art, which is the Knotty Rod with the serpent of Aesculapius twined about it, surrounded by the inscription, "Department of Health, City of Rock Island, Illinois").

The said seal shall be the official seal of the Department of Health and shall remain in the custody and keeping of the Commissioner of Health, to be used by him in all cases provided for where its use may be requisite and proper.

CHAPTER 26

HEALTH REGULATIONS.

- § 1. Public house to be fumigated in case of contagious disease.
2. Infected building to be vacated.
3. Filth not to be thrown in any public place.
4. No tannery without consent of council.
5. Offensive animal substance kept off of streets.
6. Contents of privy not to rise within two feet of top.
7. No ashes, etc., to be thrown in privy.
8. Privy not to become dangerous to health.
9. Contents of privy to be removed in air-tight apparatus.
10. Privies, etc., not to become nuisance.
11. Stables to be kept clean.
12. Liveryman not to let carriage to person having contagious disease.
13. Manure not to be left in city by railroad.
14. Physician to report contagious disease within twenty-four hours after death of patient.
15. Duty to report contagious diseases.
16. Parent not to expose child to contagious disease.
17. Vaccination of school children.
18. Certificate of vaccination.
19. Commissioner to visit schools.
20. Record of births.
21. Receptacle for garbage.
22. Receptacle for stable manure.
23. Sale of carbolic acid regulated.
24. Promiscuous distribution of drugs prohibited.
25. Food stuffs to be protected from dirt and flies.
26. Food stuffs to be kept two feet above sidewalk.
27. Unwholesome meats, food or drink—penalty for selling.
28. Bringing into city persons or articles infected with contagious disease.
29. Bringing or keeping animals in city infected with contagious disease—penalty.
30. Expectorating on sidewalk.
31. Penalty.

Fumigation. § 1. The owner or keeper of any hotel, boarding house, or lodging house, and the owner, agent of the owner, and the lessee of any tenement house, or part thereof, shall, whenever any person in such house is sick of fever, or of any infectious or pestilential or contagious disease, and such sickness is known to such owner, keeper, agent or lessee, give immediate notice thereof to the board of health, and thereupon said board shall cause the same to be inspected, and may, if found necessary, cause the same to be immediately cleansed or disinfected at the expense

of the owner, in such manner as it may deem necessary and effectual; and it may also cause the blankets, bedding and bed clothes used by such sick person to be thoroughly cleansed, scoured and fumigated, or, in extreme cases, to be destroyed.

Infected Buildings. § 2. Whenever it shall be decided by the board of health that any building, or part thereof, is unfit for human habitation, by reason of its being so infected with disease, or from other causes, as to be likely to cause sickness among the occupants, and notice of such decision shall have been affixed conspicuously on the part thereof so decided to be unfit for human habitation, and personally served upon the owner, agent or lessee, if the same can be found in the state, requiring all persons therein to vacate such building, or part thereof, for the reasons to be stated therein, as aforesaid, such building, or part thereof, shall, within ten days thereafter, be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified.

Filth in Alley. § 3. That no person or persons shall throw, place or deposit, or cause to be thrown, placed or deposited, any dung, carrion, dead animal, offal, or putrid or unwholesome substance, or the contents of any privy upon the margin, or banks, or into the waters of the Mississippi river within the limits of said city, or upon any street, alley or public grounds, or upon any lot within the limits of said city.

Tannery. § 4. That no person shall permit, or have any offensive water or other liquid or substance on his premises or grounds to the prejudice of life or health, whether for the use in any trade or otherwise; and no establishment or place of business for tanning, skinning or scouring, or for dressing hides or leathers, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started or established in the City of Rock Island, without a permit from the Council. And every such establishment now existing shall be kept cleanly or wholesome, and be so

conducted in every particular as not to be offensive or prejudicial to life or health.

Streets to be Kept Clean. § 5. That no swill, brine, urine of animals or other offensive animal substance, nor any stinking, noxious or other filthy matter of any kind shall, by any person, be allowed to run or fall from out of any building, vehicle or erection into or upon any street or public place, or be taken or put therein, save as elsewhere provided.

Contents of Privy. § 6. That no person shall draw off, or allow to run off, into any ground, street or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cesspool, or sink; nor shall any owner, tenant or occupant of any building to which any vault, privy, or cesspool shall appertain or be attached, permit the contents, or any part thereof, to flow therefrom, or to rise within two feet of any part of the top, or said contents to become offensive; nor shall any privy or other erection in this section mentioned be filled with or covered with dirt till its filthy contents shall be emptied.

No Ashes—Privy. § 7. That no person shall throw into or deposit in any vault, sink, privy, or cesspool, any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle; nor shall any slops or kitchen waste be permitted to run into any privy or cesspool, except the same be connected with the sewer.

Unsanitary Privy. § 8. That neither the contents of any such tub, or of any receptacle, cesspool, privy, vault, sink or water closet, cistern, nor anything in any room, excavation, vat, building, premises or place, shall be allowed to become a nuisance so as to be dangerous or prejudicial to health.

Removal of Contents. § 9. That no part of the contents of any privy, vault, sink, cesspool, except substances other than excrements insoluble in water, or any accumula-

tion of any offensive fluid, liquid or semi-liquid substance or material, being in any excavation, cellar or place, within the limits of the City of Rock Island, shall be removed therefrom, nor shall the same be transported through any of the streets or avenues of said city, unless and except the same shall be removed and transported by means of an airtight apparatus, or in such manner as shall prevent entirely the escape of any noxious or offensive odors therefrom.

Not to Become Nuisance. § 10. That no part of the contents of or substances from any sink, privy, or cesspool, nor any manure, ashes, garbage, offal, rubbish, dirt, nor any refuse or waste, or thing which, by its decomposition, could or would become offensive to human beings, or detrimental to health, or create or tend to create a nuisance, shall be by any person thrown, deposited or placed upon any street or public place, nor upon any vacant lot of land, or vacant place upon the face of any land, within the City of Rock Island, whether such lot be enclosed or otherwise, without the written permission of the commissioner of health; nor shall any of said substances be allowed by any person to run or drop from the premises occupied by such person into or upon any street or public place, nor upon any vacant lot of land, or vacant place upon the surface of any lot of land in said city, nor shall the same be thrown, deposited or placed by any person, nor allowed to fall or run from the premises occupied by such person into the river, save through the proper underground connections.

Stables to be Kept Clean. § 11. That every person shall cause every stable and place where any cows, horses or other animals may be, to be kept at all times in clean and wholesome condition, and shall not allow any animal to be therein while infected with any disease, contagious or pestilential, among such animals, without a permit from the commissioner of health.

No Livery Conveyance to be Used for Contagious Diseases. § 12. No livery stable keeper or other person, keeping or letting any carriage or other conveyance for hire

within said city, shall convey or permit to be conveyed in any such carriage or other conveyance, any person having or supposed to have smallpox, cholera or any other infectious or contagious disease, or the body of any person who has died of any such disease.

Manure Shipped by Rail. § 13. That no pile or deposit of manure, offal or garbage, nor accumulation of any offensive or nauseous substance, shall be made within the limits of said city, nor shall any person or corporation unload, discharge, or put upon or along the line of any railroad, street or highway, or public place within said city, any manure, offal, garbage or other offensive or nauseous substance; nor shall cars or flats loaded with, or having in or upon them any such substance or substances, be allowed to remain or stand on or along any railroad, street or highway within the limits of said city, within three hundred (300) yards of any inhabited dwelling.

Report of Contagious Diseases. § 14. That it shall be the duty of each and every practicing physician in the city to report in writing to the board of health, the death of any of his patients who shall have died in said city, of contagious or infectious disease, within twenty-four hours thereafter, and to state in such report the specific name and type of such disease.

Duty to Report. § 15. It shall be the duty of each and every physician or other person, to report to the board of health immediately after he has discovered the same, the name and place of residence of any person in said city who is suffering from tuberculosis, small pox, cholera, yellow fever, scarlet fever, diphtheria, membranous croup, or other contagious disease, also typhoid fever and cerebrospinal fever. Any physician or other person violating the provisions of this ordinance shall be fined in a sum not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Exposure to Contagious Diseases. § 16. That no par-

ent, master or custodian of any child or minor (having the power and authority to prevent), shall permit any such child or minor to be unnecessarily exposed or to needlessly expose any other person to the taking or to the infection of any contagious disease.

Vaccination. § 17. That no principal of any school, and no principal or teacher of any private, sectarian or other school, shall admit to any such school any child or minor, who shall not have been vaccinated within seven years next preceding the admission or application for admission to any such school of such child or minor; or shall any such principal or teacher retain in or permit to attend any such school any such child or minor who shall not have been vaccinated within seven years next preceding the taking effect of this article.

Certificate. § 18. The evidence of such vaccination to be presented to any such principal or teacher, as is mentioned in the preceding section, shall be a certificate signed by the commissioner of health or any physician duly licensed by the state board of health.

Commissioner to Visit Schools. § 19. The commissioner of health is hereby empowered to visit any and all public and private schools in the city, and make or cause to be made an examination of the children and minors in attendance therein, as often as he may deem necessary to secure compliance with the provisions thereof.

Birth Record. § 20. That every physician, midwife and other person who may assist or be present at the birth of any child, shall make a registry of every such birth, and the time and place, ward and street, number of such birth, and the sex and color of every child born, and the names and residence of each of the parents (so far as the foregoing facts can be ascertained), and deliver such register, or copy thereof, to the commissioner of health within five (5) days after the birth of such child.

Garbage Receptacle. § 21. It shall be the duty of

every owner, tenant, lessee or occupant of any and every house, dwelling, building or place of business, in the City of Rock Island, within the district where garbage is collected to provide or cause to be provided on or before the first day of May, 1898, and at all times thereafter to keep or provide a separate water-tight covered metallic vessel for garbage, offal and liquid substances, the capacity of which shall not be less than five (5) gallons nor more than eight (8) gallons; and it shall be unlawful to put ashes or anything but refuse, animal or vegetable matter in such vessel used for garbage and offal, and any person or persons who shall place in said vessel any ashes, dirt or other substances, except as herein provided, shall be subject to a fine not exceeding five (\$5) dollars nor less than two (\$2) dollars for each offense.

Stable Manure Receptacle. § 22. It shall be unlawful for any person, firm or corporation to deposit stable manure in any street, alley or private premise, unless deposited in suitable receptacles. The receptacles must be of suitable material, tightly constructed and of sufficient size, with a hinged lid, which shall have a slope of not less than ten (10) degrees pitch. The receptacle must be emptied at least once in every week.

Sale of Carbolic Acid. § 23. That it shall be unlawful for any druggist or other person to sell or dispense at retail carbolic acid in any strength higher than five (5%) per cent. solution except upon the prescription of a duly registered practicing physician, licensed veterinarian or licensed dentist.

Free Distribution of Drugs. § 24. It shall be unlawful for any person, firm or corporation to distribute or cause to be distributed from house to house in the City of Rock Island any free samples of drugs.

Foodstuffs to be Protected. § 25. That no fruit, salted peanuts, cracked nuts, of any kind, candy of any description, or any other article, or foodstuff which may be used for human food without cooking, shall be kept or exposed

for sale on any street, or public place, or outside of any shop or store, or in the open window, or doorways thereof, unless they be kept covered so that they shall be protected from dust, dirt and flies.

Foodstuffs to be Kept Two Feet Above Sidewalk. § 26. That no article intended to be used as food shall be exposed or displayed in any street or way, or in front of any place of business, unless the bottom of the box or other receptacle containing such articles is raised at least twenty-four (24) inches above the sidewalk, platform or landing upon which such receptacle rests.

Unwholesome Meats, Provisions, Food or Drink—Penalty for Keeping, Selling, Etc. § 27. No person shall bring, keep on hand, sell, or expose for sale within the limits of the city, any emaciated, decayed, tainted or unwholesome meat, fish, fowls, vegetables, fruit, butter or provisions of any kind, or any impure or adulterated milk, liquor, or other article of food or drink for human beings, under a penalty not exceeding two hundred (\$200) dollars.

Bringing Into City Persons or Articles Infected With Contagious Disease—Penalty. § 28. No officer of any steamboat or other boat, or of any railroad company, or any other person whomsoever, shall, knowingly, bring within this city any person sick or diseased with small pox, cholera, yellow fever, ship fever, or any other contagious or infectious disease, or any articles that have been exposed to the contagion of any such disease, except by, and in accordance with the permit and direction of the commissioner of health, under a penalty not exceeding two hundred (\$200) dollars.

Bringing or Keeping in City Animals Having Contagious Disease—Penalty. § 29. No person shall, knowingly, bring, keep or retain, within the limits of this city, any horse, colt, ass, mule or any other animal having glanders, farcy, or any disease that is contagious among such animals, under a penalty not exceeding two hundred (\$200) dollars.

Expectorating on Sidewalk. § 30. Any person who shall be guilty of expectorating upon the sidewalks within the corporate limits of this city shall be fined not less than five (\$5) dollars for the first offense, ten (\$10) dollars for the second, thirty (\$30) dollars for the third offense. The repetition of the violation of this ordinance for a great number of times will cause the maximum penalty of one hundred (\$100) dollars to be placed upon the said offender. The said violation to be prosecuted under a warrant issued from any justice of the peace in the City of Rock Island, and enforced as is provided by the Statutes and ordinances of the City of Rock Island, Illinois, relating to misdemeanors.

Penalty. § 31. Any person who shall, within the jurisdictional limits of this city, violate, disobey, resist, neglect or refuse to comply with any of the provisions, requirements or regulations in this chapter contained, shall, upon conviction, be subject to a fine of not less than five (\$5) dollars nor more than two hundred (\$200) dollars for each offense, excepting as herein is otherwise provided.

CHAPTER 27

ICE CREAM.

- § 1. Percentage of butter fat.
- 2. Adulteration.
- 3. False labeling.
- 4. Testing.
- 5. License fee.
- 6. Penalty.

Percentage of Butter Fat. § 1. That no ice cream shall be sold, offered for sale, exchanged, delivered or be transported or carried for the purpose of sale, exchange or delivery that is adulterated and that contains less than fourteen (14%) per cent of butter fat for natural flavors and twelve (12%) per cent. for fruit and nut ice cream.

Adulteration. § 2. Ice cream shall be deemed to be adulterated, within the meaning of this act.

First. If it shall contain any eggs, corn flour, starch, gelatine, mucilaginous bodies, glucose or thickening of any kind. If it shall contain boric acid, formaldehyde, saccharine, salts of copper, iron oxide, ochres or any coloring substance or any compound or adulterant: Provided, that this paragraph shall not be construed to prohibit the use of harmless coloring matter or any flavoring matter not deleterious to health.

Second. If it be an imitation of, or offered for sale under the name of another article.

False Labeling. § 3. It shall not be lawful for any person, firm or corporation to sell, offer for sale, expose for sale or have in possession with intent to sell, any ice cream in any container which is falsely labeled or branded as to the name of the manufacturer thereof; or to misrepresent, in any way, the place of manufacturing of ice cream or the manufacturer thereof.

Testing of Ice Cream. § 4. The requirements for the testing, inspecting and application for the vending of ice cream shall be the same as for testing, inspecting and vending of milk or cream and the same provisions shall apply.

License Fee. § 5. Every person, firm or corporation selling or disposing of ice cream shall annually, on the first day of May, pay a license fee of fifteen (\$15) dollars for each and every wagon, carriage or other vehicle from which ice cream is sold or offered for sale. All licenses granted pursuant to this ordinance may at any time be revoked by the Mayor for flagrant violations of the provisions hereof and for any other good and sufficient cause.

Penalty. § 6. Every person, firm or corporation violating this ordinance or any of its provisions shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each and every offense.

CHAPTER 28

INSURANCE TAX.

Tax of Two Per Cent. § 1. All corporations, companies and associations not incorporated under the laws of this state, and which are engaged in the City of Rock Island in effecting fire insurance, shall pay to the Treasurer of the City of Rock Island, for the maintenance, use and benefit of the fire department thereof, a tax or license fee amounting to two (2%) per cent. of the gross receipts received by their agency in the City of Rock Island; and at that rate such corporations, companies and associations shall pay upon the amount of all premiums which, during the year ending on every first day of July, shall have been received for any insurance effected, or agreed to be effected, in the City of Rock Island by or with such corporations, companies or associations, respectively, in accordance with an act of the General Assembly of the State of Illinois, entitled, "An Act to enable Cities, Towns and Villages organized under any general or special law, to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments.

CHAPTER 29

LEVEE—LANDING OF BOATS, ETC.

- § 1. No boat to land without permission from city marshal—penalty—license.
2. City marshal to remove after notice.
3. Boat to be retained until fine paid.
4. Lien for fine created.

No Boat to Land Without Permission from City Marshal—Penalty. § 1. No vessel, boat or craft of any kind whatever, excepting steam boats, and excepting also as otherwise provided by the ordinances of the City of Rock

Island, shall land at or occupy any part of the levee, to-wit: The south bank of the Mississippi river along First avenue, and the east bank extending south from Fifth street, within the jurisdiction of said City of Rock Island, without permission first obtained from the City Marshal of said city, and should any such vessel, boat or craft, except as herein above provided, so land at or occupy said river bank, the owner, or person in charge thereof, shall immediately, on verbal notice so to do by the said City Marshal, remove the same, and on failure so to do every such owner or person, shall, on conviction, be fined in the sum of ten (\$10) dollars, and in the further sum of twenty-five (\$25) dollars for each and every day he shall suffer the same to remain at or occupy any part of said levee after said conviction.

It is further provided that every sand or stone boat, wharf boat, barge or raft that shall be landed on any part of said levee between the west line of East Seventeenth street, extended, and the east line of Twentieth street, extended, for the purpose of unloading freight or materials shall pay to the City Clerk for a license to so land, the following rates: For a license for one year, one hundred (\$100) dollars; for one month, twenty-five (\$25) dollars; and for one day, three (\$3) dollars.

The city expressly reserves the right to designate, even as to any licensed boat, barge or craft, where it may be landed and unloaded.

City Marshal to Remove. § 2. If any such boat, vessel or craft, shall land at or occupy any part of said levee contrary to the provisions of Section 1 of this ordinance, it shall be the duty of the said City Marshal to proceed at once and remove the same to such place as he shall deem advisable, at the expense of the owner.

Boats to be Retained Until Fine is Paid—Sale of Same. § 3. All such boats, vessels or crafts, shall be retained in the custody of the City Marshal until all fines, forfeitures, and charges mentioned in the preceding sections of this ordinance shall be paid by the owner or person having charge

of the same, and if said fines, forfeitures and charges are not paid within twenty-four (24) hours the City Marshal shall sell every such boat, vessel or craft at public auction to the highest bidder for cash, first having given at least ten (10) days previous notice of the time and place of said sale by posting up notices of the same in three of the most public places in said city.

Lien for Fine Created. § 4. For all proper charges, fines and forfeitures, and costs and expenses incurred by the City Marshal in removing and taking care of any boat, vessel and craft, or other property by virtue of this ordinance, a lien is hereby created against any such boat, vessel or craft or other property, and no alienation or transfer of the same shall affect the said lien.

CHAPTER 30

LIBRARY.

- § 1. Establishment of public library confirmed, and to be maintained—name.
2. Penalty for injury to, or failure to return property of.
 3. Marshal to make search and return of books.
 4. Infected books.

Establishment of Public Library Confirmed, and to be Maintained—Name. § 1. That the establishment of the public library and reading room in said city, and the acceptance by the city of the donation of the books, pamphlets, papers, fixtures and other property of the Young Men's Library Association, upon the conditions of such donation, as set forth in the ordinance of said city passed August 12, 1872, be and they are hereby approved and confirmed; and the said public library and reading room shall, henceforth, be kept up and maintained as such, for the use of the inhabitants of said city, and shall be called the "Rock Island Public Library and Reading Room."

Penalty for Injury to, or Failure to Return Property of.

§ 2. Any person who shall carelessly, wilfully or maliciously cut, tear, write upon, deface, injure or destroy any book, pamphlet, periodical, newspaper, plate, picture, engraving, or any other property or thing of value belonging to or under the control of the "Rock Island Public Library and Reading Room," or who shall fail to return thereto any book, pamphlet, periodical, newspaper, plate, picture, engraving, or any other thing of value, belonging to or under the control of the said library and reading room, according to the requirements of the by-laws and rules thereof, or after notice so to do, shall be subject to a fine of not less than one (\$1) dollar nor more than one hundred (\$100) dollars. All such fines shall, when collected, be paid to the City Treasurer and by him credited to the library fund.

Marshal to Make Search and Return of Books. § 3. It shall be the duty of the City Marshal, upon notice and request of the librarian of said library, to make diligent inquiry and search for, and, if found, return to said library any and all books, pamphlets, papers, pictures, and other things of value, which may, at any time, have been taken or detained from said library.

Infected Books. § 4. It shall be the duty of the Health Commissioner upon learning of the existence of contagious or infectious disease in any family, to at once notify the librarian of the library board of such fact; and also to ascertain if any library book is in such family's possession, and if so notify such librarian of such fact; whereupon it shall be the duty of the librarian to withdraw all such books from circulation and destroy the same.

[HISTORICAL NOTE]. A resolution of the board of directors of the public library was presented to the City Council, and adopted at a meeting of the Council held April 9, 1900. The said resolution, after reciting the estimate of the cost of construction and the proposed tax levy to cover the same, proceeded as follows:

Therefore be it resolved

By the City Council of Rock Island, that this City Council hereby fully approves the said purpose, plans and scheme, and the action of the board of directors of the public library of this city, as heretofore reported to this Council, for the construction of a new public library building in said city in all respects; and it hereby authorizes and directs the said board of directors to take such action as may be proper and necessary for the safe and proper erection of a library building upon said lots as soon as practicable, and that the money necessary for the purpose aforesaid shall be raised by taxation upon the property of said city, as provided by law, for said period of seven (7) years.

CHAPTER 31

LICENSES.

- § 1. Licenses subject to all ordinances—violation to incur forfeiture.
2. How issued—what to contain.
3. Not transferable without permission—use thereof restricted—not of force until issued.
4. Assignment—surrender—new license—bond.
5. May be revoked by Mayor or Council.
6. Clerk to keep register of—fees.

Licenses Subject to all Ordinances—Violation to Incur Forfeiture. § 1. All licenses which may at any time be issued under any ordinance of said city, shall be subject to all ordinances and regulations of the city which may be in force during the period of such license, or any portion of such period, and a violation of any of the provisions thereof by any licensed person, shall, in addition to the penalties which may be provided for such violation, subject him to a revocation of his license.

Licenses, How Issued—What to Contain—Term of. § 2. All licenses which may be issued under any ordinance of said city, unless such ordinances shall otherwise provide, be signed by the Mayor and City Clerk, or by the clerk, with

the approval of the Mayor, and under the corporate seal of said city; shall specify the kind of license and the location of the building or premises to be occupied, shall bear the date on the day it is issued and, unless sooner revoked or terminated, expire on the first day of May next thereafter.

License Not Transferable Without Permission—Use Thereof Restricted—Not of Force Until Issued. § 3. No such license shall be transferable without permission of the Mayor or the City Council, nor shall any such licenses be used except by the person, at any place, and for the purpose designated therein; and no person shall be deemed licensed until a license has been actually issued to him.

Assignment—Surrender—New License—Bond. § 4. Any person to whom any license may have been issued under any ordinance of this city may, with the permission of the Mayor, surrender such license and have the same cancelled, and have a like license issued for the unexpired term of the one so surrendered, to the person or place of business to which he may wish to transfer the same, upon the licensee, named in such new license, giving bond (if bond is required in such case) and complying with the requirements of the ordinances under which said license is issued.

License May be Revoked by Mayor or Council. § 5. Any license granted under the provisions of any ordinance of said city may be revoked at any time, upon written notice, by the Mayor or the City Council, when it shall appear to his or their satisfaction that the licensed party has violated or failed to comply with any provision of any ordinance of said city applicable to the person, business, occupation or place so licensed.

Clerk to Keep Register of Licenses—Fee. § 6. The City Clerk shall keep a register of all licenses issued; the date, term, and kind of license, the amount paid therefor, the name and place of business of the licensee, and the names of the sureties on his bond.

CHAPTER 32

MAPS, PLATS, ETC.

Maps, Plats, Etc., to be Approved by the City Council.

§ 1. Every map, plat or subdivision of any block, lot, sublot or part thereof, or of any piece or parcel of land shall be submitted to the City Council for its approval before the same shall be or become of any force or effect, and no such map, plat or subdivision shall be valid in any degree whatever until it shall have been approved by the City Council.

Grading of Streets—Laying of Sidewalks—Duplicate to be Furnished. § 2. No such map, plat or subdivision shall be approved by the City Council unless the owner or owners of the land so platted shall first have brought the strips of ground, intended for streets, to a proper and uniform grade to be established by said City Council, and shall have laid along said streets, sidewalks of such material and width as the ordinances of said City of Rock Island provide, or the City Council may require. Every such map, plat, etc., shall be submitted in duplicate, one copy to remain in the City Clerk's office, and the amount necessary to record the same according to law shall be deposited with the City Clerk.

Indorsement Thereon. § 3. In case of approval by said City Council of any such map, plat or subdivision, the indorsement thereon that such map or plat has been approved, signed by the Mayor and City Clerk, shall be sufficient evidence of its approval and of its right to be recorded.

CHAPTER 33

MILK AND CREAM INSPECTION.

DAIRY LICENSE.

- § 1. Milk food division established.
2. Officers' defaults.
3. Insignia of office—powers.
4. Milk vendor's license—license fees.
5. License—application and issue of.
6. Vehicles, premises, etc.—cleanliness.
7. Vehicles—sign.
8. Inspection—resisting.
9. Powers of entry.
10. Samples—test.
11. Milk test.
12. Cream test.
13. Skimmed milk—penalty.
14. Impure, diluted or adulterated milk.
15. Adulteration or dilution.
16. Foreign substance contained.
17. Condensed or evaporated milk.
18. Confiscation of impure milk.
19. Buttermilk.
20. Hotel keeper, restaurant, etc.
21. Sick or diseased cow—slaughter.
22. Parturition of cow.
23. Dairy—refuse matter—offal.
24. Moneys collected.

Milk and Food Division Established. § 1. There is hereby established a division of the department of health of the City of Rock Island, to be known and designated as the milk and food division, which shall embrace the commissioner of health and such other inspectors and employes as the Council may, by ordinance, prescribe and establish.

Officer's Defaults. § 2. Any officer or employe of the health department, who willfully connives at or assists in the violation of any of the provisions of this ordinance, shall, on conviction thereof, be fined not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars, and at once forfeit his office.

Insignia of Office—Powers. § 3. The Health Commissioner and the inspectors shall each, when on duty, wear a metallic star, inscribed with suitable words, which shall be supplied by and be the property of the city. They shall

each have the power, on demand made therefor, to require the aid, assistance or presence of any police officer, in the performance of any duty enjoined by the provisions of this ordinance, to arrest all persons found violating any of the terms or provisions of this ordinance, and shall have full powers, as are now provided by the laws and ordinances of the city.

Milk Vendor's License—License Fees. § 4. No person or persons, firm or corporation, or driver of any milk wagon thereof, shall sell or offer for sale, expose for sale, dispose of, exchange or deliver or, with the intent so to do as aforesaid, have in his or their possession, care or custody or control, milk or cream for human food, without having been first licensed so to do. Every person or persons, firm or corporation selling or disposing of milk or cream at retail shall, annually on the first day of May, pay license fees as follows: Every milk or cream vendor selling, offering for sale, exposing for sale, exchange or delivery, or disposing of the same in or from any store, stand, booth, market place, milk depot, warehouse, dairy, cow stable or any building or establishment of any kind, or in or from any wagon, carriage or other vehicle, shall pay the sum of five (\$5) dollars: Provided, however, that this section shall not apply to private persons who own not more than two cows and who sell milk therefrom to their neighbors or customers by peddling the same by hand. When more than one wagon, carriage or vehicle is used from which milk or cream is sold or offered for sale, there shall be paid at the same time and in like manner, as hereinbefore provided, for each such additional wagon, carriage or other vehicle, the sum of five (\$5) dollars. Every person, firm or corporation violating this section, or any of its provisions, shall be deemed guilty of a misdemeanor and, on conviction thereof, be fined not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each and every offense. All licenses granted pursuant to this ordinance may at any time be revoked by the Commissioner of Health, for fla-

grant violations of the provisions hereof or for any other good and sufficient cause.

License—Application and Issue of. § 5. License shall be issued in the names of the applicants therefor. Before the issuance of the license every vendor of milk or cream shall make written application therefor on a printed form, provided for that purpose, on which shall be stated:

First. The name, residence and location of the business place or places of the applicant.

Second. The number of cows, if any, owned by or controlled by the applicant.

Third. The number and description of each and every wagon, carriage or other vehicle, used by the applicant in the milk or cream business.

Fourth. If, after the issuance of and delivery of the license, any change be made in the location of the place of business of such licensee, notice thereof must forthwith be given to the City Clerk. Any and all persons licensed under this article shall immediately cause to be and remain posted, his or their license upon some conspicuous part of the room or office in which the business is carried on, under a penalty of not less than ten (\$10) dollars for each day said license remains unposted as provided in this section.

Vehicles, Premises, Etc.—Cleanliness. § 6. All cans, vessels and receptacles used in the hauling of milk and cream, as well as all packages, refrigerators or compartments of stores or other places where milk or cream is kept, stored, or hauled, shall be kept and maintained scrupulously neat and clean, and shall be kept free from the presence or vicinity of any article of any kind likely to contaminate or injuriously affect the sweetness, quality or condition of the milk or cream. Any person found violating this section shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars for each and every offense.

Vehicle—Sign. § 7. No milk or cream shall be sold, offered for sale, exposed for sale, exchanged, delivered, transported, conveyed or carried on any wagon, carriage or other vehicle unless the owner or owners thereof shall first obtain from the City Clerk two metal plates on which shall be stamped the number corresponding to the license, together with the year for which the license is issued, which plates the said licensed owners or owner shall cause to be securely fastened on the outside of each side of the box of his vehicle so licensed, or in a conspicuous place so that the same can be easily seen.

Inspection—Resisting. § 8. It shall be the duty of said Health Commissioner (either in person or by one or more of the said inspectors) to visit, view and inspect all places and vehicles in which milk and cream may be sold, offered for sale, exposed for sale, stored, kept, exchanged, delivered or disposed of as well as to inspect, view and examine all vessels, cans, receptacles, packages, refrigerators or compartments of store places or buildings, erections or establishments of any kind containing milk or cream, and ascertain or examine the condition thereof with reference to cleanliness and sanitation, and are authorized, directed and empowered to cause the removal and abatement of any unfit, unclean or injurious conditions attending the keeping, storing or possession, care, custody or control of milk or cream at and in all places. Any person, firm or corporation failing, neglecting, delaying or refusing to obey or conform to any reasonable order or direction under this section, made by the proper officer, shall be deemed guilty of a misdemeanor and fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Powers of Entry. § 9. The Commissioner of Health, inspector and police officer detailed, directed or instructed to act therein, shall have the right, and it shall be their duty to enter and have full access, egress and ingress to all places where milk or cream is stored or kept for sale, to all wagons, carriages, or other vehicles, railroad cars or

conveyances of any kind used for the conveyance, transportation or delivery of milk to any warehouse, place of business, factories, buildings, farms, stables, railroad depots, erections, establishments or places of any kind, to all vessels, cans, packages, refrigerators or receptacles of milk or cream, and to take samples of milk and cream therefrom, not exceeding one (1) quart, for the purpose of inspecting, testing or analyzing the same. Any person, firm or corporation failing, neglecting, delaying or refusing to obey or conform to any reasonable order or direction under this section, made by the proper officer, shall be deemed guilty of a misdemeanor, and fined not less than ten (\$10) nor more than one hundred (\$100) dollars, and whenever a sample or samples so found and taken as aforesaid shall not correspond with, or shall be in violation of, the requirements of this ordinance, the person or persons, firm or corporation in whose possession, care, custody or control such milk or cream may be found, shall be deemed guilty of a misdemeanor and fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each and every offense.

Samples—Test. § 10. All samples of milk and cream taken or brought to the office of the department of health by the officers thereof, or by any other person shall be analyzed or otherwise satisfactorily tested and wherever or whenever said milk or cream or other foods so tested or analyzed shall be found violative of the provisions of this ordinance, the necessary steps shall be taken for a prosecution for a violation thereof. The analysis or test herein required may be made with such instruments, apparatus, chemicals or other articles, and to such extent as may, by the Commissioner of Health be deemed necessary. A record shall be kept of every analysis or examination that may be made, and the Health Commissioner shall make an annual report of the transactions of this division to the Council with all such data as may be of public interest.

Milk Test. § 11. No milk shall be kept, sold or offered

for sale, stored, exchanged, transported, conveyed, carried or delivered, or with such intent as aforesaid, be in the care, custody, control or possession of any one if it contains more than eighty-eight (88) per centum of watery fluids or less than twelve (12) per centum of total solids, of which total solids three (3) per centum shall be butter fat. Offenders under this section shall be deemed guilty of a misdemeanor and, on conviction thereof, be punished by a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each and every offense.

Cream Test. § 12. No cream shall be sold, offered for sale, exchanged, delivered or be transported or carried for the purpose of sale, exchange or delivery that contains less than eighteen (18) per centum of butter fat, or that is taken from any impure, diseased, unhealthy, unclean, adulterated or unwholesome milk, or cream to which any foreign or other substance of any kind has been added. Offenders under this section shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each and every offense.

Skimmed Milk—Penalty. § 13. Any vendor of milk or cream, or any driver, servant or agent of such vendor, who shall in the City of Rock Island sell or offer for sale any milk from which the cream or any part thereof shall have been taken, shall offer for sale and sell the same as skimmed milk and not otherwise, and no vendor of milk, and no driver, servant or agent of such vendor shall offer for sale, or sell, or have in his custody, possession or control, with intent to sell or deliver same, any such milk from which the cream or any part thereof shall have been taken, unless the can, vessel or package containing such milk shall have conspicuously attached thereto a steel or metallic tab on which shall be engrossed the words "Skimmed Milk," in large, plain, distinct letters; said steel or metallic tab shall not be less than three (3) inches by five (5) inches in size. Any person violating this section shall be deemed

guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Impure, Diluted or Adulterated Milk. § 14. Whoever, by himself, or by his servant or agent, employe or milk wagon driver, or as servant or as agent, employe or milk wagon driver for any other person, firm or corporation, sells, offers for sale, exchanges, delivers, or transports or carries for the purpose of sale, exchange or delivery, or has in his custody, possession, care or control with intent so to sell, offer for sale, exchange or deliver, or exposes or offers for sale, exchange, transportation or delivery, any milk or cream, for human food, which is unclean, diluted, impure, unhealthy, diseased, unwholesome, adulterated or not of the standard of good quality provided for by this ordinance, or milk or cream produced from sick or diseased cows, or milk or cream to which water or any foreign substance has been added, or milk or cream produced from cows kept in an unclean, filthy, or unhealthy condition, or milk or cream that has been exposed to or contaminated or affected by the emanations, discharges or exhalation from any human beings or animals sick with any contagious or infectious diseases by which the health or life of any person may be endangered, compromised or in any way affected, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall for a first offense be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars; and for each subsequent offense be fined not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Adulteration or Dilution. § 15. Any person who shall adulterate milk or cream or reduce or change it in any respect by the addition of water or any foreign or other substance or by the removal of cream therefrom with a view of selling, or offering the same for sale, or exchange, shall be deemed guilty of a misdemeanor, and, on conviction thereof, be fined not less than ten (\$10) dollars nor

more than one hundred (\$100) dollars for each and every offense.

Foreign Substances Contained. § 16. Any person, firm or corporation, who shall sell, offer for sale, expose for sale, exchange, deliver, dispose of or transport, convey or carry, or with any such intent as aforesaid, have in his or their possession, care, custody or control, any milk or cream having therein or containing any foreign or other substance of any kind whatever, or coloring matter, or any adulteration or preservative, whether for the purpose of artificially increasing the quantity of milk or cream or for preserving the condition of sweetness thereof or for any purpose whatever, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each and every offense.

Condensed Milk. § 17. No person shall manufacture, sell or offer for sale, any condensed or evaporated milk for domestic use, unless the same shall be put up in packages or cans upon which shall be distinctly labeled or stamped the name or brand by whom, or under which, the same is made. No condensed or evaporated milk shall be made, sold, or offered for sale, exchanged or delivered for domestic use unless the same is manufactured from pure, clean, healthy, fresh, unadulterated, wholesome milk, from which the cream has not been removed. Condensed or evaporated milk shall contain not less than twenty (20) per cent of milk solids and one hundred (100) per cent. of such milk solids shall contain not less than twenty-seven and five-tenths (27.5) per cent. of milk fat. Nothing herein contained shall be construed to prevent the addition of cane sugar in the manufacture of condensed or evaporated milk.

Confiscation of Impure Milk. § 18. All milk and cream from sick and diseased cows, or cows fed on refuse or slops from distilleries, vinegar factories or any similar slops, mash or refuse shall, upon discovery thereof be confiscated, forfeited and immediately destroyed by or under

the direction of the Commissioner of Health or superintendent, who shall, if done in good faith, be held harmless in damages therefor, in any suit or demand made.

Buttermilk. § 19. Nothing in this ordinance shall be so construed as to prohibit the use or sale of what is known as buttermilk, provided the same is produced from pure and wholesome milk. Should any such buttermilk, however, be sold, kept, offered or exposed for sale, exchanged or transported, conveyed or carried or be in the care, custody, control or possession of any one, with the intent as aforesaid, which is not the product of pure and wholesome milk, the offender shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each and every offense.

Hotel Keeper, Restaurant, Etc. § 20. Every hotel keeper, restaurant keeper or boarding house keeper who furnishes milk or cream to his or their guests or boarders shall be in all respects subject and amenable to the provisions of this ordinance, saving and excepting the obtaining of a license.

Sick or Diseased Cow—Slaughter. § 21. If any cow be sick or diseased, the owner or person in charge thereof shall not sell, or offer for sale, exchange or delivery, the milk or cream therefrom, but shall at once destroy the same. If, in the opinion of the Commissioner of Health or any inspector, any cow is afflicted with a contagious or infectious disease, he shall direct the owner or person in charge thereof to forthwith remove the said cow from the premises to a place where it may not spread or cause contagion or infection. A violation of this section shall be deemed a misdemeanor, and, on conviction thereof, the offender shall be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars. If said cow is, by the Commissioner of Health or inspector, deemed incurable, and the owner or person in charge thereof does not consent

to its being killed, said commissioner shall notify the state board of live stock commissioners.

Parturition of Cow. § 22. No milk or cream shall be sold, kept, offered or exposed for sale, stored, transported, exchanged, carried, delivered or in any manner disposed of, drawn from cows within fifteen (15) days before and five (5) days after parturition, nor shall the same be mixed with any other milk or cream for such purposes. Any one so offending shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each and every offense.

Dairy—Refuse Matter—Offal. § 23. All persons, firms or corporations who own or keep a dairy and offer the products thereof for sale in the City of Rock Island shall maintain the premises thereof free from any accumulation of refuse matter or offal, which shall be removed frequently, so as not to endanger the public health.

Moneys Collected. § 24. All moneys collected under the provisions of this ordinance shall be duly paid to the City Clerk.

CHAPTER 34

MISDEMEANORS.

I. OFFENSES AGAINST GOOD MORALS AND DECENCY.

- § 1. Misdemeanor defined—penalty.
2. Drunkenness—penalty—second offense—time of commencing prosecution.
3. Minors not to frequent saloons.
4. Bathing in public places—indecently exposed.
5. Indecent exposure—indecent books, pictures, shows, etc.
6. Indecent exhibition of stud horse or bull.
7. Houses of ill fame—disorderly houses.
8. Gaming—penalty.
9. Gaming houses.
10. Gambling instruments may be destroyed—slot machines.

11. Disorderly houses may be entered forcibly—police may arrest persons found therein.
12. Licensed persons violating sections 5, 6, 7, 8, 9 or 10, forfeit license.
13. Cruelty to animals—penalty.

II. OFFENSES AFFECTING PUBLIC SAFETY.

14. Use of firearms and explosives—exceptions.
15. Riding or driving on streets—turning to the right.
16. Slackening speed when approaching crossing or turning a corner.
17. Leaving horses unfastened—fast driving.
18. Obstructing streets and sidewalks with teams.
19. Flying kites, throwing stones and other dangerous sports.
20. Getting on or holding to cars, vehicles, etc.—penalty.
21. Coasting on streets prohibited—exceptions.
22. Leaving cellar doors and other openings, etc., uncovered or unsafe.
23. Scaffolds to be safely and properly built.
24. Speed of motor vehicles, etc.

III. OFFENSES AFFECTING PUBLIC PEACE AND QUIET.

25. Assault—assault and battery—penalty.
26. Disturbing the peace by loud noises and riotous conduct, etc.
27. Loitering or loafing about streets, etc.—interfering with or annoying passersby—curfew, etc.
28. Keeping dogs, etc.—disturbing the quiet by barking, howling, etc.
29. Breach of the peace—threatening language and conduct—penalty.
30. Disorderly conduct—unlawful gatherings—penalty.
31. Disturbing school or assembly—penalty.
32. Processions, music and picnics on Sunday forbidden—penalty.
33. False alarm of fire—penalty.
34. Places of amusement—time of closing—penalty.
35. Carrying concealed weapons—penalty.
36. Permit to carry concealed weapons.
37. Resistance to officers.

IV. OFFENSES AFFECTING STREETS, PROPERTY AND MERCHANDISE.

38. Destruction or injury of public property.
39. Excavation in streets—penalty.
39. Breaking or opening into sewers—penalty.
40. Neglecting to provide eave troughs on buildings and cover over sidewalk—penalty.
41. Injuring trees, fences, etc.
42. Depositing rubbish in streets and alleys.
43. Littering streets forbidden—penalty.
44. Riding of bicycles, etc., on sidewalks.
45. Posting bills, etc., to telegraph poles, etc.
46. Loose papers on streets—banana or other peels—penalty.
47. Public squares—trampling upon—injuring trees, shrubs, etc., plucking flowers, etc., forbidden—penalty.
48. Public squares—scattering debris.

49. Forestalling.
50. Street car advertising.
51. Unlawful use of mail box.
52. Obnoxious weeds.
53. Trimming of trees.
54. Penalty.

I. OFFENSES AGAINST GOOD MORALS AND DECENCY.

Misdemeanor Defined—Penalty. § 1. That each of the following sections shall be deemed to state a misdemeanor, or misdemeanors, which, if severally or jointly committed by any person or persons, within the territorial jurisdiction of said city, shall subject the offender or offenders severally (where the penalty is not otherwise specified in the section naming the misdemeanor), to a penalty not exceeding two hundred (\$200) dollars and imprisonment until such fine and the costs of prosecution are paid; or imprisonment for a time not exceeding six (6) months.

Drunkenness—Penalty—Second Offense—Time of Commencing Prosecution. § 2. Any person found intoxicated in any street, highway or other public place, or so found disturbing the peace of the public, or of his own or any other family, in any private building or place in the city, shall, for the first offense, be fined not more than five dollars, and upon any subsequent conviction shall be fined a sum not exceeding twenty-five dollars. Prosecutions under this section shall be commenced within thirty days after the offense is committed, and the magistrate may remit the punishment in whole or in part, where he is satisfied the public welfare and the good of the offender require it.

Minors not to Frequent Saloons. § 3. No person under the age of majority shall visit or frequent any saloon or other place where intoxicating, malt, vinous, mixed or fermented liquors are sold for the purpose of obtaining such liquors, unless accompanied by his or her parent or guardian; nor shall any such person obtain or attempt to obtain such liquor by fraudulently representing himself or herself to be of lawful age, when in fact he or she is not, for the purpose of obtaining such liquor. Any person vio-

litang any of the provisions of this section shall, upon conviction, be fined not exceeding fifty dollars, nor less than ten dollars.

Bathing in Public Place—Indecently Exposed. § 4. No person shall swim or bathe in the Mississippi river, or in any place exposed to public view, within the limits of the city, between sunrise and one hour after sunset, being naked or having the person indecently exposed.

Indecent Exposure, Indecent Books, Pictures, Shows, Etc. § 5. No person shall appear in any public place within the city, in a state of nudity, or in a dress not belonging to his or her sex, or in any indecent or lewd dress, or make and indecent exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall publicly or privately exhibit, sell or offer for sale, give away, or offer to give away, any indecent book, pamphlet, periodical, newspaper, print, picture, or other thing or article of indecent or immoral use, or shall exhibit or perform, or in any way cause to be exhibited or performed, any indecent, immoral, or lewd play, or show, or representation of any sort.

Indecent Exhibition of Stud Horse or Bull. § 6. No person shall indecently exhibit any stud horse or bull, or let any such horse to any mare or mares, or any bull to any cow or cows, within the limits of the city, unless in some inclosed place, out of public view.

House of Ill-Fame—Disorderly House. § 7. No person shall keep or maintain a house of ill-fame or assignation, or place for the practice of fornication, or lewdness; no person shall patronize, or be an inmate of the same, nor let, own or be interested as proprietor or landlord, in any house, room, or other premises used for any such purpose, or shall keep a common, ill-governed or disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior.

Gaming—Penalty. § 8. No person shall play for money or other valuable thing, at any game with cards,

dice, billiards, or with any other article, instrument or thing whatsoever, which may be used for the purpose of playing or betting upon, or winning, or losing money, or any other thing of value, nor shall bet upon any game others may be playing. Any person violating any of the provisions of this section shall be fined not exceeding one hundred dollars nor less than ten dollars.

Gaming House. § 9. No person shall keep a gaming house, or in any building or other place, by himself or his agent, used or occupied, procure or permit any persons to frequent or come together to play for money, or other valuable thing, at any game, nor shall keep nor suffer to be kept, any table or other apparatus for the purpose of playing at any game or sport for money, or any valuable thing, nor shall keep nor rent any such place for any such purpose, within the city.

Gambling Instruments May be Destroyed. § 10. The Mayor, any alderman, city marshal, or any police officer of this city may seize or cause to be seized and instrument, device or thing used for the purpose of gaming, or by, on or with which money or other property, or thing of value may be lost or won; and all such instruments, devices or things shall be demolished or destroyed under the direction of the Mayor.

That whoever, in any room, saloon, inn, tavern, shed, booth or building or enclosure, or in any part thereof, operates, keeps, owns, rents or uses any clock, joker, tape or slot machine, or any other device upon which money is staked or hazarded, or into which money is paid or played upon chance, or upon the result of the action of which money or other valuable thing is staked, bet, hazarded, won or lost, shall upon conviction of the first offense be fined not less than one hundred (\$100) dollars, and for a second offense be fined not less than five hundred (\$500) dollars, and be imprisoned until the fine and costs are fully paid.

Every clock, tape machine, slot machine or other ma-

chine or device for the reception of money on chance, or upon the action of which money is staked, hazarded, bet, won or lost, is hereby declared a gambling device and shall be subject to seizure, confiscation and destruction by any municipal or other local authority within whose jurisdiction the same may be found.

Every owner, occupant, lessee, mortgagee or other person in possession of any premises upon which any gambling device may be located, and every person in the use, operation, lease or other possession of the same shall be fined for the first offense not less than one hundred (\$100) dollars, and for the second offense shall be fined not less than five hundred (\$500) dollars, and be imprisoned until the fine and costs are fully paid.

Disorderly Houses May Be Entered Forcibly—Police May Arrest Persons Found Therein. § 11. If the owner or keeper of any disorderly or gambling house, or house of ill-fame, or any house or place reasonably supposed to be such, shall refuse to permit the Mayor, any alderman, the city marshal or any police officer, to enter the same, it shall be lawful for the Mayor, or any alderman, the city marshal or any police officer, to enter or cause the same to be entered by forcibly breaking the doors or otherwise, and to arrest, with or without warrant, or process, any and all persons found therein, violating any law or ordinance, or subject to reasonable suspicion thereof.

Licensed Persons Violating Sections Five, Six, Seven, Eight, Nine or Ten, Forfeit License. § 12. In case of the conviction of any person for a violation of any of the provisions of sections five, six, seven, eight, nine or ten of this chapter, shall, in addition to the penalty prescribed for such violation, incur a forfeiture of his license, which may be entered as a part of the judgment, in the discretion of the court.

Cruelty to Animals—Penalty. § 13. No person shall overload, overdrive, overwork, cruelly beat, torture, torment, mutilate or cruelly kill any animal, or cause, or know-

ingly allow the same to be done. No person shall cruelly work, or cruelly abandon any old, maimed, infirm, sick or disabled animal, or cause or knowingly allow the same to be done, or unnecessarily fail to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink or shelter. Any person violating any of the provisions of this section shall be fined not less than three dollars, nor more than two hundred dollars.

II. OFFENSES AFFECTING PUBLIC SAFETY.

Use of Firearms and Explosives—Exceptions. § 14. No person shall, in any part of the city, fire or discharge any cannon, gun, pistol or other firearms, or set off, fire or explode any torpedo, firecrackers, fire ball, rocket or other fireworks whatsoever, or shall make or kindle any bonfire. Provided, that the City Council may, by resolution, suspend the operation of the preceding provisions of this section, in whole or in part, on the 4th day of July, or any other day of public rejoicing, and, provided, further, that the discharge of firearms by the members of any military, when on parade, and in accordance with the command of the commanding officer, or by any city officer, or other person in the discharge of any legal duty, or necessary and lawful act, the same being done in a proper and careful manner, shall not be deemed a violation hereof.

Riding or Driving on Streets—Turning to the Right. § 15. In all cases of persons meeting each other riding on horseback, or driving any wagons, carts, drays or other vehicles on any street, alley, or public place in said city, each person riding or driving shall turn off and go to the right so as to enable persons and vehicles to pass each other without delay or accident.

Slacking Speed When Approaching Crossing or Turning a Corner. § 16. All persons in said city riding any animal or in charge of or driving any horse or other animals in any vehicle, when approaching any regular crossing; or turning a corner on any street, avenue, lane, alley or public

place, shall hold in their animals and slacken their speed until the crossing is passed or the corner is turned.

Leaving Horses, Etc., Unfastened—Fast Driving. § 17. No person shall drive, place, fasten or leave standing any horse, mule or other animal on any street, avenue or sidewalk in the city, or leave standing unfastened therein any of the animals aforesaid, or any team of either, in harness or attached to any wagon or other vehicles so that said animal or animals may be liable to run away; or cause, suffer or allow any of the said animals to pass through any street, alley or public place without a suitable driver, or ride or drive at an immoderately fast pace, any of the aforesaid animals, through or along any street, alley or public place in said city, so as to endanger the safety of any person, under a penalty not exceeding twenty-five (\$25) dollars for each offense.

Obstructing Street and Sidewalk with Teams. § 18. No person shall stop any team or any of the last aforesaid animals in any street, alley or other public way, in such manner as to prevent other teams and persons passing at all times, except in case of absolute necessity; or stop any team at the regular crossings of streets, so as to prevent free passage for foot passengers. This section, however, shall not be so construed as to prevent any person from leading, riding or driving over any sidewalk into any lot, by the usual mode of ingress or egress for vehicles.

Flying Kites, Throwing Stones and Other Dangerous Sports in Streets. § 19. No person shall in any public place in said city, fly kites, throw stones, trundle hoops, play ball, or engage in any sport likely to frighten horses, injure other people, embarrass the passage of vehicles, or obstruct the passage or business of other people; nor throw, nor cast any stone or other missile upon or at any building, tree or other public or private property, or at any person anywhere in said city, or aid or abet the same.

Getting on, or Holding to Cars, Vehicles, Etc.—Penalty. § 20. No person shall, within the limits of said city, seize,

hang upon, get upon, hold, tie or fasten to any railroad car, engine, horse car, carriage, buggy, wagon, sleigh, sled or other vehicle or conveyance, while the same is in motion, or attempt so to do, or attach to any such vehicle or conveyance any sleigh or sled, and ride thereon, unless he shall be acting in compliance with law and his duty in so doing, under a penalty not exceeding twenty-five (\$25) dollars for each offense.

Coasting on Streets Prohibited—Exception. § 21. No person shall coast or slide on any of the streets or sidewalks of the city, except on such streets as may be designated by the Mayor or City Council.

Leaving Cellar Doors and Other Openings, Etc., Uncovered or Unsafe. § 22. No person shall leave open, uncovered, unguarded or in an unsafe condition any cellar door, hatchway, pit, vault, excavation or excavations upon or adjoining any sidewalk, street, alley or public place of the city.

Scaffolds to be Safely and Properly Built. § 23. No person shall build, maintain or use, or cause to be built, maintained or used, any scaffold or platform for use in the erection or repair of any building or structure in this city in an insufficient or unsafe manner, or that for any cause shall be dangerous or unsafe to persons upon or using the same, or passing by or under the same.

Speed of Motor Vehicles, Etc. § 24. The following rates of speed may be maintained, but shall not be exceeded upon any street, avenue or alley in the city of Rock Island by anyone driving a motor vehicle or a motor bicycle.

(a) A speed of one mile in ten minutes when turning a corner of intersecting streets, and a speed of one mile in four minutes where any street or avenue passes through the residence portions of the city.

(b) A speed of one mile in six minutes where such street passes through closely built up business portions of the city.

(c) Elsewhere and except as otherwise provided in sub-sections a and b of this section, a speed of one mile in three minutes.

Any person wilfully violating the provisions of this section shall, upon conviction, be fined not to exceed the sum of two hundred dollars.

That it shall be unlawful for any person having the control or management of any wagon, carriage, automobile or motorcycle to cause the same to go between a street car discharging or receiving passengers and the nearest curb toward which the passengers are being discharged or received.

III. OFFENSES AFFECTING PUBLIC PEACE AND QUIET.

Assault—Assault and Battery—Penalty. § 25. No person shall commit an assault, or assault and battery, under a penalty of not less than three dollars, nor more than one hundred dollars.

Disturbing the Peace by Loud Noises, or Riotous Conduct, Etc. § 26. It shall be unlawful for any person or persons, within said city to make or create any loud or unusual noises, by blowing of horns, bugles, or other instruments, or by the beating of drums, kettles or other sounding vessels or instruments, or by the ringing of bells or crying of goods, tending to the collection of persons in the streets or on the sidewalks, or by loud or boisterous laughing, or by singing, bellowing, whooping, screaming, hallooing, swearing, cursing; nor shall any person or persons in said city disturb the peace of any street, avenue, alley, neighborhood, or person by conducting himself or themselves in a tumultuous, riotous, indecent, disorderly or offensive manner, or by any of the means enumerated in this section, nor by any other device or means whatever.

Loitering or Loafing Upon Streets, Etc.—Interfering with or Annoying Passersby—Curfew, Etc. § 27. It shall be unlawful for any person or persons in said city to loiter

or congregate about or upon any stairway, doorway, window or in front of any business or dwelling house, theatre, church or street corner, or elsewhere, and by so doing obstruct or interfere with the free passage of persons entering or occupying such building or premises, or by their language, conversation or conduct annoy, insult or disturb persons passing along the streets or alleys, or occupying, residing or doing business in any of said houses or places; and it shall be the duty of every policeman to arrest and prosecute all persons offending under this section.

It is hereby made unlawful for any person under fifteen years of age to be or remain in or upon any of the streets, alleys or public places in the City of Rock Island, Ill., at night after the hour of nine o'clock, p. m., from March 1st, to September 30th, inclusive, of each year; and from October 1st to last day of February, inclusive, of each year, after the hour of eight o'clock p. m., unless such person is accompanied by a parent or guardian, or other person having the legal custody of such minor person, or is in the performance of an errand of duty directed by such parent or guardian or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys or public places during the night time after said specified hours; provided this exception shall not apply when the person under such age shall be playing or unnecessarily loitering in or upon any such streets, alleys or public places. Any person violating the provisions of this section shall, on conviction, be fined in any sum not to exceed ten dollars for each offense and stand committed until such fine and costs are paid.

It is hereby made unlawful for any parent, guardian or other person having the legal care and custody of any person under fifteen years of age, to allow or permit any child, ward or other person under such age, while in such legal custody to go or be in or upon any of the streets, alleys, or public places in said city within the time prohibited in section 1 of this ordinance, unless there exists a reasonable

necessity therefor. Any person violating the provisions of this section shall, on conviction, be fined in any sum not to exceed twenty-five dollars for each offense and stand committed until such fines and costs are paid.

Each member of the police force while on duty is hereby authorized to arrest, without warrant, any person wilfully violating the provisions of section 1 of this ordinance, and detain such person for a reasonable time in which complaints can be made and a warrant issued and served. But it is further ordained, that no child or minor person arrested under the provisions of this ordinance shall be placed in confinement until the parents or guardians of such minor person shall have been notified of such arrest and shall have refused to be held responsible for the observance of the provisions of this ordinance by said minor person.

Keeping of Dogs, Etc.—Disturbing the Quiet by Barking, Howling, Etc. § 28. No person shall, in said city, keep any dog, whelp, bitch, calf, hog, or any other animal shut up or tied up in any yard, house or other place, which, by barking, howling, or other noises, shall disturb the peace and quiet of any family, individual or neighborhood.

Breach of Peace—Threatening Language and Conduct—Penalty. § 29. No person shall commit a breach of the peace, or shall use any profane or indecent language, or be guilty of any violent or threatening language or conduct, tending to provoke a breach of the peace in the city, under a penalty of not less than three dollars nor more than one hundred dollars.

Disorderly Conduct—Unlawful Gatherings—Penalty. § 30. No person shall be guilty of any disorderly conduct, nor shall make, aid, countenance, nor assist in making any improper noise, riot or disturbance in the city, nor shall persons congregate together in any of the streets, alleys or public places of the city, for unlawful purposes, or for a lawful purpose in a riotous or tumultuous manner, to the annoyance of the citizens or travelers therein, or aid or abet the same, under a penalty not exceeding one hundred dollars.

Disturbing School or Assembly—Penalty. § 31. No person shall wilfully interrupt or disturb any school, or any congregation or assembly meeting for religious worship, or for any other lawful purpose, by making any unnecessary noise, or by rude or indecent behavior, or by profane discourse within such meeting, or so near the same as to disturb the order or solemnity of such meeting, under a penalty not exceeding one hundred dollars.

Processions, Music and Picnics on Sunday Forbidden—Penalty. § 32. No Military company, or other body, or procession of persons, shall march or pass through the streets of this city on Sunday, accompanied by the sound of music; nor shall any person upon that day play upon any musical instrument in the streets of this city. (Provided, that this section shall not be construed to prevent or render unlawful funeral processions or ceremonies on that day, nor the use of music at the same). No person shall give, hold, conduct or attend any picnic on Sunday, within the limits of said city. Any violation of this section shall subject the offender to a penalty not to exceed one hundred dollars.

False Alarm of Fire, Etc.—Penalty. § 33. No person shall make a false alarm of fire by outcry, or by using any bell or other sounding instrument; nor shall any person wilfully make any false alarm of any kind calculated to disturb the peace of said city, under a penalty not exceeding twenty-five dollars.

Places of Amusement—Time of Closing—Penalty. § 34. No person shall, by himself, his agent, or servant, keep open, or permit or suffer any person to remain at any public place of amusement kept or owned by him, at a later hour than twelve o'clock p. m. Provided, that the Mayor may, in his discretion, upon proper application in writing to him made, grant a special written permit to keep the same open to some hour that shall be specified therein, such permit to be good for one night only, and such permit and application to be filed with the City Clerk, before taking advantage of the provisions thereof. Any person violating any

of the provisions of this section shall be fined a sum not exceeding fifty dollars for each offense, and be imprisoned until such fine and costs are paid.

Carrying Concealed Weapons—Penalty. § 35. Whoever shall, within the limits of said city, carry or wear under their clothes, or concealed about their person, any pistol, revolver, bowie knife, dirk or other deadly weapon, or whoever in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be fined in a sum not less than twenty-five dollars, nor more than two hundred dollars. This shall not apply to police officers when on duty. Any such weapon or weapons duly adjudged by any magistrate of said city, to have been worn, carried or displayed by any person in violation of this section, shall be forfeited and confiscated to said city, and be kept and retained by the city marshal.

Permit to Carry. § 36. The Mayor may grant to so many and such persons as he may think proper, license to carry concealed weapons, and may revoke any and all such licenses at his pleasure. Applications for such licenses shall be made to the mayor, and thereupon a license shall be issued by the City Clerk, and signed by the Mayor. Every such license shall state the name, age, occupation, and residence of the person to whom it is granted, and every such license shall expire at the end of the municipal year.

Resistance to Officers—Penalty. § 37. No person shall unlawfully resist any police officer, or constable in the discharge of his duties, nor shall wilfully refuse to assist any police officer or constable in making an arrest, when called upon to do so, nor shall interfere with the Mayor of the city, with the city marshal or any police officer or constable, or any person authorized and required to enforce the law of the city, to prevent, hinder, or delay such person in the execution of the duties required of him by any of the ordinances of the city, or laws of the state. Any person violating any of the provisions of this section shall be fined not less than ten dollars, nor more than fifty dollars for each offense.

IV. OFFENSES AFFECTING STREETS, PROPERTY AND
MERCHANDISE.

Destruction or Injury of Public Property Forbidden—Penalty. § 38. No person shall, wilfully or maliciously, destroy, injure, deface or interfere with any bridge, engine house or other house, fire engine, fire hose, hose carriage, or other property of said city, or any public property or public work, under a penalty not exceeding two hundred dollars.

Excavation in Streets Forbidden—Penalty. § 42. No person shall, within the limits of this city, dig or make any ditch, drain or other excavation, or remove any sod, earth, sand, gravel or stone, in, upon or from any street, avenue, alley or public ground within this city, except by the permission and under the directions of the Mayor, under a penalty not exceeding one hundred dollars.

Breaking or Opening into Sewers Forbidden—Penalty. § 39. No person shall, within the limits of this city, break or make any opening in, or in any manner injure or interfere with any of the main drains or sewers of said city, or connect any drain, sewer or pipe therewith, without permission from the City Council, under a penalty of not less than five dollars, nor more than one hundred dollars.

Neglecting to Provide Eave Troughs on Buildings—Penalty. § 40. Any person owning, occupying or possessing any building or structure, situated upon the line of any street, avenue, alley or public place within said city, who shall fail to maintain and keep affixed thereon proper and sufficient eave troughs, water conductors and spouts to prevent water from falling or flowing from such building or structure to and upon the sidewalk adjacent thereto, shall be subject to a penalty not exceeding one hundred dollars.

That any person who shall erect a building along or near the line of any street or streets, with a height greater than sixteen (16) feet above the grade of the adjacent sidewalk, shall, before proceeding with the construction beyond the first (1st) story of such building, construct, and during

the further progress of the work on the walls and roof of such building, maintain a covering over the adjacent sidewalk or sidewalks, sufficient to protect persons passing along and over such sidewalk or sidewalks from injury by material thrown or falling from such building or scaffolds erected thereon.

Any person erecting any building in manner and place as aforesaid who shall fail to perform any of the requirements of this ordinance, shall be subject to a penalty of not less than twenty-five (\$25) dollars for each offense, and not less than ten (\$10) dollars per day for each day in which such work shall be prosecuted with the neglect to comply with the requirements of this ordinance.

Injury to Trees, Fences, Lamp Posts, Etc., and Hitching Horses thereto Forbidden. § 41. No person shall, within the limits of said city, wilfully or carelessly, destroy or injure any tree, shrub, fence, railing, lamp post, electric light post or wire, or in any manner cause the same to be done, or shall hitch or fasten any horse or other animal to, or so near any tree, shrub, fence, railing, lamp post, electric light post or wire, as to render the same liable to destruction or injury by such horse or other animal, under a penalty not exceeding one hundred dollars.

Depositing Rubbish in Street Forbidden — Proviso. § 42. No person shall place or cause to be deposited on any street, alley or public place in the city, any ashes, paper, rags, sticks, blocks, posts, boards, lumber or building material of any kind, shavings, dirt, tin cans, junk or other rubbish of any kind or description, or to allow the same to be thrown, placed or deposited in or upon any street or avenue, adjacent to any premises owned, leased or controlled by any person or persons, and no rubbish of any kind shall hereafter be burned upon any street or avenue in said city, nor at any place whatsoever within the fire limits of said city; and no box, barrel or other receptacle for dirt, ashes, paper or other rubbish shall be placed or allowed to remain

in or on any street or upon any sidewalk in said city, or upon any public grounds or upon any part thereof, nor shall any person leave standing therein any wagon or other vehicle, so as to obstruct or render inconvenient the passage of other persons through or along such street, alley or public place. Provided, that whenever the City Council shall have ordered improvements to be made upon any streets, alley or public grounds, earth, ashes or other suitable material, except garbage, filth and contents of privy vaults and sewers, may be placed thereon under the direction of the Mayor and the supervision of the superintendent of streets. Any person violating any of the provisions of this section shall, on conviction, be subject to a penalty of not less than three nor more than one hundred dollars for each offense, and to a further penalty of three dollars for each day such violation shall continue, or such articles or things shall remain, contrary to this section after the said conviction, and the owner, lessee or occupant of every house, store or other premises adjacent to which any of the articles or things contemplated in this section may be placed or found shall be liable for the placing or permitting of the same, unless it can be shown that some other person placed or deposited the thing complained of at the place where it may be found, without the knowledge or consent of the owner or occupant. Provided, that no person shall be liable to suffer any penalty under this section, in case of obstruction of any alley in the manner therein mentioned, who shall remove such obstruction within a reasonable time, after notice so to do, by the city superintendent of streets, city marshal or Mayor.

Littering Streets Forbidden—Penalty. § 43. All contractors, teamsters and proprietors hauling dirt, sand, gravel, ashes, rubbish or other material on streets or alleys shall so construct, keep and maintain their wagon boxes, dumps and sideboards with front and rear ends and bottoms as at all times to prevent the spilling of such material from the same, and in case the same fall into the streets or the same be scattered in any street or avenue, cause the same to

be forthwith removed, under a penalty of five dollars for each and every offense.

That it shall be unlawful for any person to throw or place upon the surface of any of the streets or sidewalks of this city any glass, earthenware, metal, stones or other articles or substances likely to cause injury to travelers or pedestrians, or to bicycles used on said streets.

Any person found guilty of a violation of this act shall be held to be guilty of a misdemeanor and be punished by a fine, not less than three (\$3) dollars nor more than fifty (\$50) dollars for each offense, or imprisonment in the county jail not exceeding thirty (30) days, or both.

Riding of Bicycles, Etc., on Sidewalks. § 48. No person shall ride on a bicycle, tricycle, velocipede or any other vehicle, conveyance or contrivance whatever on or over the City of Rock Island, nor shall any person coast on a bicycle in, on or along any of the streets of said City of Rock Island; nor shall any person ride a bicycle in any of the streets of said city unless the same shall have a bicycle bell attached thereto; nor shall any person ride a bicycle on any of the streets of the said city at night without a lighted lantern attached thereto; nor shall any person ride a bicycle at an immoderately fast rate of speed on any of the streets of the said city; nor in any manner endanger the safety of pedestrians at the crossings of said streets. In no case shall bicycle riders ride upon the streets of said city more than three (3) abreast.

All persons riding bicycles shall be subject to the laws and ordinances of said city governing drivers of other vehicles upon the streets of said city.

Any person violating this ordinance shall, upon conviction thereof, be fined not less than three (\$3) dollars nor more than ten (\$10) dollars for each offense.

Posting Bills, Etc., to Telegraph Poles, Etc. § 45. No person or persons shall post, paste or in any other way attach or affix to any telegraph, telephone or electric light pole,

within the City of Rock Island, any bill, notice, announcement or other advertising medium, under a penalty of not more than ten (\$10) dollars for each and every offense.

Loose Paper on Streets—Banana or Other Peels—Penalty. § 46. No person shall place, deposit or throw loose papers in any alley or street within said city, or to leave the same in such condition that the same may become scattered or blown upon the street, nor shall any person throw, cast, lay or place on any sidewalk in said city, the rind or peel of any banana, orange or other fruit, under a penalty of not less than three (\$3) nor more than ten (\$10) dollars for each offense.

Public Squares — Trampling Upon — Injuring Trees, Shrubs, Plucking Flowers, Etc., Forbidden—Penalty. § 47. It shall be unlawful for any person or persons to trample over or upon any part or portion of any public square except such parts as may be set apart for walks or other public use, or injure, deface, ruin or destroy in any public square any trees, shrubs, plants, flower bed or grass plot, or to pluck or to take away any flower, tree or shrub, or to encumber, injure or deface any of the seats, signs, waterworks, fixtures or buildings, or other property in said squares, or to take away, injure or destroy any of the tools, hose or other implements used in the care and preservation of the squares, or in any way to meddle or interfere with any part or portion of said squares, the furnitures, fixtures or buildings therein, without lawful authority so to do, or turn any horse, dog, cow, ox, ass, sheep, hog or other such animal into any such public square, park or grounds, or walk or run or climb around, or upon any railing or fence surrounding the same, or erect any booth or stall therein, under a penalty not exceeding twenty dollars for every such offense.

Public Squares—Scattering Debris. § 48. It shall be unlawful, and it is hereby declared a nuisance for any person to throw upon the interior, sidewalk, grass, flower beds, or any other place in any public square or park within the

limits of this city, peanut shells, popcorn, banana skins, orange peelings, paper sacks, or litter of any kind. Any person so offending shall be liable to a fine not exceeding five (\$5) dollars.

Forestalling. § 49. That any person, firm or corporation who shall dissuade any other person, firm or corporation from bringing any coal, wood or other fuel or merchandise into the City of Rock Island, or who shall practice any device, or combine, or conspire with another or others, or commit any act with intent to enhance the price of coal, wood or other fuel or merchandise, whereby any consumer or purchaser for domestic or manufacturing use in the City of Rock Island, purchasing any of said coal, wood or other merchandise shall be compelled to pay a greater price therefor than he otherwise would be compelled to pay, shall be deemed and found guilty of forestalling.

Any person, firm or corporation found guilty of forestalling, as defined herein, shall be liable to a fine in the sum not to exceed two hundred (\$200) dollars for each offense, to be recovered by suit by the City of Rock Island in any court of competent jurisdiction; and it shall be a separate offense for each and every lot or parcel of said coal, wood or other fuel or merchandise that any such consumer or purchaser for domestic or manufacturing use shall be so compelled to purchase at a greater price than he otherwise would be compelled to pay.

Street Car Advertising. § 50. That it shall be unlawful for any person, firm or corporation to tack, post, paint or in any way affix to the exterior part of any street car, while in the streets of the city of Rock Island, any sign advertising for sale goods or wares of any kind.

Unlawful Mail Boxes. § 51. That it shall be unlawful for any person, firm or corporation to place or cause to be placed in any private mail box, used by the letter carriers of said city as a receptacle in which to deposit United States mail, any circular, letter, note or other advertising matter

whatsoever not contained in a sealed envelope and directed to the owner or owners of said mail box, except newspapers distributed by newsboys.

Obnoxious Weeds. §52. That whoever shall suffer or permit any cockle burrs, thistles, burdock or other rank and obnoxious weeds to grow or to be in or upon any lot or premises owned or controlled by him within the City of Rock Island, shall be deemed guilty of maintaining a nuisance, and, upon conviction thereof, shall be subject to a penalty of not less than three (\$3) dollars nor more than twenty (\$20) for each offense.

Trimming of Trees. § 53. That it shall be necessary for every person, having in charge any tree upon any street or avenue in the city of Rock Island, or any tree which extends over on any street or avenue, to remove all branches which are less than twelve (12) feet from the ground; and further that all trees shall be trimmed so as not to obscure or obstruct the city lights along the streets and avenues of said city.

Violation—Penalty. § 54. Whoever violates any of the provisions of this chapter, where a penalty is not specially provided herein, for such violation, shall be subject to a fine of not less than three (\$3) dollars, nor more than twenty-five (\$25) dollars for each offense.

CHAPTER 35

MOVING PICTURE MACHINES.

- § 1. Requirements of arc lamps.
- 2. Rheostats.
- 3. Protection of film.
- 4. Handle and shutter.
- 5. Extra films.
- 6. Enclosure of machine.
- 7. Specification of enclosure.
- 8. Floor enclosure.
- 9. Specifications of door.
- 10. Orifice.
- 11. Shelves.
- 12. Inflammable material not to be kept in booth.
- 13. Ventilation of booth.
- 14. Ventilating pipe.
- 15. Wiring of machines.
- 16. National Electric Code Rules part of this ordinance.
- 17. Operators to be competent.
- 18. Applies to both private and public.
- 19. Penalty.

Requirements of Arc Lamps. § 1. Arc lamps used as part of moving picture machines or other devices used to display pictures on canvas or other materials where powerful light is used, must be constructed to conform with arc lamps of theatres and the wiring of same must not be less than 6 B. & S. gauge.

Rheostats. § 2. Rheostats must conform to the rheostat requirements for theatres.

Protection of Films. § 3. Top reels must be encased in a steel box with hole at bottom only large enough for film to pass through, and cover so arranged that this hole can be instantly closed. No solder to be used in the construction of this box.

A steel box must be used for receiving the film after being shown with a hole in the top only large enough for the film to pass through freely, with a cover so arranged that this hole can be instantly closed. An opening may be placed at the side of the box to take films out, with a door hung at the top so arranged that it cannot be entirely opened, and

provided with spring catch to lock it closed. No solder to be used in the construction of this box.

Handle and Shutter. § 4. The handle or crane used in operating the machine must be secured to the spindle or shaft, so that there will be no liability of its coming off and allowing the film to stop in front of the lamp. A shutter must be placed in front of the condenser, arranged so as to be readily closed.

Extra Films. § 5. Extra films must be kept in metal boxes with tight fitting covers.

Enclosure of Machine. § 6. The machine must be operated by hand (motor driven will not be permitted).

Picture machines must be placed in an enclosure or house made of suitable fire-proof material, be thoroughly ventilated and large enough for the operator to walk freely on either side of or back of the machine. All openings into this booth must be arranged so as to be entirely closed by doors or shutters constructed of the same or equally good fire resisting material as the booth itself. Doors or covers must be arranged so as to be held normally closed, and spring hinges or equivalent devices. The doors to booth must swing outward.

Specifications of Enclosure. § 7. The framing of the booth or house, or enclosure in which moving picture machines are to be operated must be made of 1-inch by 1-inch by $\frac{1}{8}$ -inch angle iron, properly braced to secure rigidity and securely riveted or bolted at joints.

Size of the enclosure to be not less than five feet by five feet, by six feet.

Sheating to be galvanized sheet iron of not less than No. 20 B. W. Gauge, or $\frac{1}{4}$ -inch hard asbestos board, securely riveted or bolted to angle iron frame.

Floor Enclosure. § 8. The floor enclosure to be of the same material as sides and roof, riveted or bolted to iron covered with a rubber or cork matting.

Specifications of Doors. § 9. The door to enclosure to be not larger than two feet wide by five feet high, of same construction as booth and arranged to close automatically, either by means of a spring to be placed on the exterior and riveted to a frame work, or by a metal rope and weight attachment. Two latches of steel must be provided and to be placed, one twelve inches from top and the other twelve inches from the bottom of door. Latch bars to be connected by metal rods, so that one operation opens both latches.

Orifice. § 10. The orifice or opening (for operation view, or through which picture is thrown) to be not larger than twelve inches by twelve inches, and provided with a gravity door of same construction as booth, held in position by fusible links placed in series with fine cord, so arranged that normally one of the links is suspended directly over the film when the film is in the slide of the apparatus, or arranged so as to be normally closed or held open by pressure of the operator's foot.

Shelves. § 11. All shelves to be of same construction as booth.

Inflammable Material. § 12. No clothing or other inflammable material other than the material necessary to operate picture machines are to be kept in the booth.

Ventilation. § 13. The booth must have an opening for ventilation, which must be flanged to carry standard conductor pipe for exhausting the hot air generated in operating the machine. An exhaust fan should be placed at the outer end of the conductor or stove pipe, unless connection is made with chimney.

Ventilating Pipe. § 14. Where it is possible, ventilating pipe should lead to chimney or outside of building, in order to carry off explosive gases formed by the incomplete combustion of the film.

Wiring of Machine, Etc. § 15. The wiring for all machines must be in accordance with the rules and regulations of the National Board of Fire Underwriters, as amended from time to time.

Code Rules. § 16. The National Electric Code Rules and requirements of the National Board of Fire Underwriters as amended from time to time are hereby made a part of this ordinance.

Competent Operators. § 17. All operators of moving or other picture machines where electricity, gas or other materials are used to produce powerful light, must satisfy the proper authorities that he is a competent operator of such machines.

Applies to Private and Public. § 18. This ordinance applies to all machines of whatever nature used in any way for throwing powerful lights through lenses or other materials in any public or private building in the city limits of the city of Rock Island, Illinois.

Penalty. § 19. This ordinance is to take effect immediately upon its passage by the council and approved by the Mayor.

Any person, firm or corporation found guilty of operating picture machines which do not comply with this ordinance shall be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

CHAPTER 36

NUISANCES.

- § 1. Nuisances defined: 1st, nuisance under common law and Illinois statutes declared such; 2d, unsafe or dilapidated building; 3d, distillery or slaughter house; 4th, blood or other offensive matter flowing into Mississippi river or branches; 5th, dead animals; 6th, storing green hides, etc.; 7th, offensive trades or manufactures; 8th, offensive matter not to flow from distilleries, etc., or remain thereon; 9th, filthy cars, buildings, yards, etc.; 10th, slaughtering animals in city; 11th, offensive pigsty, stables, etc.; 12th, privies, how built—disinfection of same; 13th, privy vaults to be opened—how; 14th, depositing ashes, offal, etc. in street; 15th, conveying putrid or offensive matter through the city in daytime; 16th, constructing steps, cellar doors, porch in street; 17th, frames of hatchways, etc., in sidewalk; 18th, building steps in sidewalk; 19th, excavations in street—duties of persons causing; 20th, obstructing street with building material—permits to be obtained; 21st, goods and merchandise on sidewalks—exception.
2. Marshal to investigate and abate nuisances after notice.
 3. Penalty for violation—repetition or continuance of same.

§ 1. That within the territorial jurisdiction of this city, it is hereby declared a nuisance for any person or persons, or corporation:

First. To cause any of those acts or omissions that are declared to be nuisances by the laws of the State of Illinois, and such as are known as nuisances to common law of the land, not hereinafter specially enumerated.

Second. For the owner or keeper of any lot or premises to suffer to remain thereon to the annoyance and detriment of other persons, any dilapidated or unsafe building or other structure liable to fall or take fire, and which, by reason of its proximity to the contiguous or adjacent buildings and premises of other persons, or to any public thoroughfare; or otherwise endangers life or property.

Third. To carry on, use or occupy any distillery or slaughtering establishments, or establishment for steaming or rendering lard, tallow, offal, dead animals, or other substance of like nature, within the limits of the city, without permission from the City Council.

Fourth. Within the limits of the city, to allow or suffer any blood, bone, offal, still-slop, dead animals or other offensive matter to run, fall or get into the Mississippi river or either of the branches thereof, or any waters connected therewith.

Fifth. For the owner or possessor of any dumb animal, which may die within the city, to leave the same unburied therein for more than twelve hours after its death, or for anyone to bring and leave the carcass of any such animal within the city limits.

Sixth. For any person, or persons, to place or store within the limits of the city, any green or salted hides, or any stale, putrid, or stinking fat, grease or other matter, so that the odor arising from the same shall be offensive to, or detrimental to the health of any individual.

Seventh. For any person, or persons, to use any building or other place within the limits of the city for the exercise of any trade, employment, or manufacture, which, by occasioning noxious exhalations, offensive smells or otherwise, is offensive to, or dangerous to the health of individuals or the public.

Eighth. For any distiller, tanner, brewer, butcher, pork and beef packer, soap-boiler, dyer, livery stable keeper, or other person whatever, to cause or suffer any offal, manure, rubbish, filth, still-slops, or any refuse animal or vegetable matter, or any foul or nauseous liquor to be discharged out of, or flow from any premises owned or occupied by him; or for any such substance liable to become putrid, to remain on any premises owned or occupied by him, for a period longer than twelve hours at any one time, from the first day of March to the first day of November in any one year, or a period exceeding forty-eight hours at any other time of the year; or to allow or suffer any such substance to be thrown into, deposited, or left in, or upon any street, alley, or public place within the limits of the city.

Ninth. To keep, or suffer to be kept, within the city

limits, in a foul, offensive, nauseous, or filthy condition, any railroad car, building, yard, cellar, sewer, privy, lot or premises.

Tenth. To kill or slaughter any beeves, hogs, sheep, or other animals within the city limits, to the injury, discomfort, or annoyance of any inhabitants of the neighborhood.

Eleventh. To keep hogs, cattle, sheep, horses, or mules in a pen or stable in such manner that an offensive odor arises therefrom, to the injury, discomfort or annoyance of any inhabitants of the neighborhood thereof, or to suffer any yard, pen or premises where chickens, geese, ducks, turkeys, peacocks, pigeons, guinea fowl, or other fowl are kept or maintained to become filthy or nauseous to any person or family in the neighborhood, or become deleterious to public health.

Twelfth. To erect or continue any privy within forty feet of any street, or the dwelling, shop, or well of any other person in said city, nor unless the same is furnished with a substantial vault, not less than four feet in depth, and walled with brick, stone, or two-inch plank; in case the depth thereof be more than six feet, the walls of such vaults shall be constructed of brick or stone; and all privy vaults to be so constructed as to be easily cleaned, and to be made tight so that the contents cannot escape therefrom, and sufficiently secured and closed, and the owner or occupant of any privy shall disinfect the same with chloride of lime, or some other disinfectant whenever it shall be necessary.

Thirteenth. To open any privy vault, or disturb or remove the contents thereof, except by the permit and in accordance with the regulations of the commissioner of health.

Fourteenth. To throw or deposit any filth, offal, garbage, or any offensive matter in any street, avenue, alley or public ground of said city.

Fifteenth. To convey within the limits of the city any offal, filth, garbage, refuse, animal or vegetable matter which is putrid, or which creates an offensive smell, or is

injurious to health; otherwise than in a closed covered wagon box, or in tight and covered boxes, barrels or vessels; and in accordance with the regulations of the commissioner of health.

Sixteenth. To erect, construct, or cause to be erected or constructed in any street or public alley in the city, any step, cellar door, or cellar way more than three feet from the lot line of the street into the sidewalk or street, or more than three feet from the line of any alley, into the same; or to erect any porch, bulk, jut-window, or other incumbrance, or so place or cause to be placed any spout, or gutter, whereby the passage of any street or alley, as aforesaid, shall be obstructed. But nothing herein shall be construed to authorize the use of any part of the street, sidewalk, or alley, for the erection of stairs, steps or other obstructions heretofore erected.

Seventeenth. To build or construct the frames of any cellar door or cellar way in any sidewalk, street or alley, above the level of the sidewalk, street, or alley, or to leave such door open at any time, except when actually used to put goods or merchandise into the cellar or basement.

Eighteenth. To build any steps from the sidewalk to the first floor of any building, upon the sidewalk above the level of the same.

Nineteenth. To dig or break up in any manner any part of any street, sidewalk, alley or public ground in the city, or raise or break any part of the curbstone therein, without permission previously obtained from the street superintendent and under his supervision. And it shall be the duty of any person making any excavation in the streets, alleys or public places of the city, or obstructing the same by building material, or otherwise, to suitably protect the same by day and night, in such way as to prevent accidents therefrom to persons or animals passing near the same; any neglect so to do, shall be considered a violation of this ordinance.

Twentieth. To occupy any part of any street, alley or sidewalk of the city, by placing a lime house, or building materials, or both, therein, without a written permit from the Mayor, said permit allotting such part of the street and specifying such time for the occupation thereof as may seem reasonable and necessary, and including such conditions as a due regard for the safety and convenience of the citizens may require. Any violation of the conditions of said permit shall cause the same to become null and void, and shall be considered a violation of this ordinance.

Twenty-first. To place or cause to be placed on any sidewalk in the city, or to suspend over the same, any wares, goods or merchandise or other thing, so as to extend or project over such sidewalk more than two and one-half ($2\frac{1}{2}$) feet from the property or lot line. Provided, that this shall not be construed as to prohibit merchants and others engaged in trade from the free use of the streets and sidewalks, in common with others, in conveying merchandise and other property to and from their stores while engaged in receiving or delivering goods, nor to prohibit any person from unloading in a proper manner, coal, firewood, or other articles proper to be placed on the street, or conveying the same across the sidewalk, to and from his own lot or tenement. But no person shall abuse this privilege by unnecessarily obstructing the sidewalk in such manner.

§ 2. It shall be the duty of the city marshal, upon information or knowledge of the existence of any of the aforementioned nuisances, to investigate the same and if satisfied of the existence of such nuisances, to give the person or corporation responsible for the same, or upon whose premises it exists, reasonable notice to abate, remove or cause the same to cease, and upon neglect or refusal so to do, to enter, if need be, in a lawful manner, upon such premises, and remove or abate such nuisance, at the expense of the person or corporation causing the same, and to enter complaint before the proper magistrate against such person or corporation.

§ 3. Whoever violates any section or clause of this ordinance, by causing or permitting any nuisance, and does not abate or remove the same after a reasonable notice from the city marshal, or repeats the same after such notice given, shall be fined a sum not exceeding one hundred dollars for the first offense; and if any such person or corporation shall continue a nuisance an unreasonable length of time, or repeat the same, after being fined for the same, a new cause of action shall forthwith accrue against such person or corporation, subjecting the offender to a like penalty aforesaid, and to imprisonment for a term not exceeding three months; and so on after the rendition of each fine, such continuance or repetition of such nuisance shall be deemed a new cause of action, subjecting the offender to a like penalty as aforesaid.

CHAPTER 37

OFFICERS.

- § 1. Officers appointed by council—term of office—vacancies—removal.
- 2. City and township officers.
- 3. Oaths—bond—commission—duties—emoluments.
- 4. Property and effects to be delivered to successor—liability and penalty for refusal.
- 5. Board of local improvements.
- 6. Inspector to give bond.
- 7. Mayor's sernographer.

Officers Appointed by Council—Term of Office—Vacancies—Removal. § 1. In addition to the city officers designated and made elective by state laws relating to the city, there shall be the following officers of said city, viz: A city marshal, a deputy marshal, a city detective, such number of policemen as the City Council may from time to time determine upon, a city superintendent of streets, a city engineer, a superintendent of water works (who shall be chief engineer), one chief of the fire department, one assistant chief of the fire department, such number of firemen as the

City Council may from time to time determine upon, one commissioner of health, one health officer, one city weigher, five park commissioners and all other appointive officers, to be appointed by the Mayor, with the advice and consent of the City Council, bienially, at or soon as practicable after the first regular meeting of the City Council, held next after each mayoralty election, and to hold the offices until their successors are appointed and qualified. Vacancies in any of the offices named and appointed as aforesaid, shall be filled by appointment in like manner for the unexpired portion of the term. All officers so appointed shall be subject to removal by the Mayor, on any formal charge, whenever he shall be of the opinion that the interests of the city demand such removal; but he shall report the reasons for such removal to the council at its next regular meeting. The council, by a two-thirds vote of all its members, may reverse the action of the Mayor and return such officer to his office, in which case he shall give new bond and take a new oath of office.

City and Township Officers. § 2. The election of highway commissioners is hereby discontinued; the offices of city and town clerk shall be united, and the City Clerk shall perform the duties of both offices; the office of supervisor and township poor-master shall be separated, and the poor master be appointed by the City Council; and all powers vested in the town of Rock Island shall be exercised by the City Council of said city, (R. S., Chap. 139, § 140). The number of justices of the peace in said township shall be four; the number of constables four, and the number of police magistrates one.

Oath — Bond — Commission — Duties — Emoluments. § 3. All officers of said city, whether elected or appointed, shall make oath, giving bond and be commissioned, have such powers, perform such duties, be subject to such regulations and penalties, and receive such emoluments as are, or may be provided by the laws of the state, and the ordinances of said city.

Property and Effects to be Delivered to Successor—Liability and Penalty for Refusal. § 4. Any person having been an officer of said city, shall, within five days after notification and request, deliver to his successor in office, all property, books and effects of every description in his possession, belonging to said city, or appertaining to his said office; and upon his refusal to do so, he shall be liable for all the damages caused thereby, and also to a penalty of not less than twenty dollars, nor more than two hundred dollars, in the discretion of the court or magistrate before whom conviction may be had.

Board of Local Improvements. § 5. That the board of local improvements of the City of Rock Island, Illinois, shall constitute and consist of the following named officers of said city, to-wit: The Mayor who shall be president of said board; the public or city engineer, and the superintendent of streets.

Inspector to Give Bond. § 6. That every person appointed by the Board of Local Improvements to act as inspector on city work, to be paid for by special assessment or special taxation, shall furnish a good and sufficient bond in the amount of ten (10%) per cent of the estimate cost of the improvement. The bond shall be conditioned upon the faithful performance of the duties of such inspector and shall be signed by the said inspector and at least one surety. Said bond shall be approved by the Mayor and filed with the City Clerk before said inspector begins work.

Mayor's Stenographer. § 7. The office of stenographer for the Mayor is hereby created, whose duty it shall be to attend to such clerical duties as the Mayor may require. The salary of said stenographer shall be fifty (\$50) dollars per month.

CHAPTER 38

OIL INSPECTOR.

§ 1. Duties, compensation and bond.

§ 1. That the office of oil inspector of the City of Rock Island is hereby created. The appointment shall be made by the Mayor and confirmed by the City Council. The duties of the said oil inspector shall be the same as prescribed by the statutes of the state, and his compensation shall consist of one-half of the fines recovered in cases wherein he has been informer. He shall give to the said city a good and sufficient bond in the sum of one thousand (\$1,000) dollars.

CHAPTER 39

ORDINANCES.

- § 1. General rules of construction.
2. Ordinance repealed to remain in force until repealing ordinance takes effect.
 3. When offense is punishable under different ordinances, prosecutor may elect.
 4. Penalty for breach of ordinance, where no penalty has been provided therefor.
 5. Repeal of repealing ordinance not to revive the former one.
 6. Rights, etc., saved.

Construction of Ordinances—General Rule. § 1. In the construction of all ordinances now in force, or which may hereafter be passed, the following rule shall be observed unless such construction is excluded by express provision of the ordinance, or is inconsistent with the manifest intent of the City Council, or repugnant to the context or the same ordinance, that is to say: 1. All general provisions, terms, phrases and expressions shall be liberally construed, in order that the true intent and meaning of the City Council may be fully carried out. 2. Words

in the present tense include the future. 3. Words importing the singular number may extend and may be applied to several persons or things, and words importing the plural number may include the singular. 4. Words importing the masculine gender may be applied to females. 5. The word "person" or "persons," as well as all words referring to or importing persons, may extend and be applied to bodies politic and corporate, as well as individuals. 6. Words purporting to give a joint authority to three or more public officers or other persons, shall be construed as giving such authority to a majority of such officers or persons. 7. The word "heretofore," shall mean any time previous to the day on which the ordinance takes effect, and the word "hereafter" at any time after such day. 8. The term "laws or ordinances now in force," and the words of similar import, shall mean the laws and ordinances in force at the time the ordinances containing the words takes effect. 9. The term "court" includes courts not of record as well as courts of record; and terms "magistrate," "police magistrate," and "justice of the peace," shall each be held to include the others. 10. The term "Mayor" shall apply as well to the "acting mayor."

Ordinances Repealed to Remain In Force Until Repealing Ordinance Takes Effect. § 2. Whenever any ordinance or part of any ordinance shall be repealed or modified by a subsequent ordinance, the ordinance or part of ordinance thus repealed or modified, shall continue in force until the due publication of the ordinance repealing or modifying the same shall take effect, unless therein otherwise expressly provided.

When Offense is Punishable Under Different Ordinances—Prosecutor May Elect. § 3. In all cases when the same act or offense may be punishable under different ordinances, or different clauses of the same ordinance, of the city, the prosecuting officer may elect under which of said ordinances or clauses to proceed, but not more than one recovery shall be had against the same person for the same offense.

Penalty for Breach of Ordinance. Where no Penalty has Been Provided therefor. § 4. Whenever in any ordinance, the doing or omission of any act is declared to be a breach thereof or forbidden, and no fine or penalty is specially provided for such breach, any person convicted of any such breach, shall be adjudged to pay a penalty of not less than three dollars, nor more than one hundred dollars.

Repeal of a Repealing Ordinance, Not to Revive the Former One. § 5. When any ordinance repealing any former ordinance, clause or provision, shall itself be repealed, such last repeal shall not be construed to revive the former original ordinance, clause or provision, unless therein so expressly provided.

Rights, Etc., Saved. § 6. No new ordinance shall be construed to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against the former ordinance, or as to any one act done, any penalty, forfeiture, or punishment incurred, or any right accrued, or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or done, or any penalty, forfeiture or punishment so incurred, or any claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform, so far as practicable, to the ordinances in force at the time of such proceeding. If any penalty, forfeiture or punishment be mitigated by any provisions of a new ordinance, such provision may, by the consent of the party affected, be applied to any judgment pronounced after the new ordinance takes effect. This section shall extend to all repeals, either by express words or by implication.

CHAPTER 40

PARKS AND PARK COMMISSIONERS.

- § 1. Park Board.
- 2. Jurisdiction.
- 3. Duties.
- 4. Commissioners to be conservators of peace.
- 5. Oath and bond.
- 6. Name of parks.
- 7. Seventh Avenue Boulevard.
- 8. Games and plays.
- 9. Advertising structures.

Park Commissioners Appointed by Mayor. § 1. There is hereby created a Board of Park Commissioners for the City of Rock Island, consisting of five members, the same to be appointed by the Mayor, and with the advice and consent of the City Council, the same to hold office for the term of three years and until their successors are appointed and qualified: Provided, however, that, of the first board appointed, one shall hold office for one year, two for two years, and two for three years. All commissioners shall serve without salary.

Territories of Commissioners. § 2. The said Board of Park Commissioners shall have the oversight, care and charge of all the parks and public squares within the limits of the city. As soon as they are appointed and have qualified, they shall meet and appoint one of their number President of the Board, another Secretary of the Board and a third the Treasurer of the Board.

Duties — Accounts of Expense — Report to Council. § 3. The Park Commissioners shall have the care, preservation and improvement of the public parks and public squares within the city, the trees, plants, walks and furniture thereof. Any money appropriated by the City Council for such purposes shall be expended under their direction. All accounts for labor or other necessary expenses shall be reported to the City Council, that the same may be audited and paid. At the close of each fiscal year the commissioners

shall make an annual report to the City Council of all moneys received and expended by them, and shall make a report at any other time when required by the Council; any reasonable expense incurred in making the report shall be allowed the commissioners.

Park Commissioners to be Conservators of Peace. § 4. The Park Commissioner is hereby constituted a conservator of the peace, and shall have power to arrest with or without warrant any person who may in their presence violate any ordinance of this city relating to public parks, and in addition to the duties imposed upon said commissioners by this ordinance they shall perform such other duties as may be imposed by any law of the state.

Oath—Bond. § 5. Every person appointed to the office of Park Commissioner shall, before entering upon the duties of his office, take the oath of office required by law, and shall execute to the City of Rock Island a bond in a sum not less than five hundred dollars, with one or more sureties, to be approved by the City Council, conditioned as required by law.

§ 6. That the public square in said city, bounded by Third and Fourth avenues, and Fifth and Sixth streets, shall be called and known as Garnsey square, in commemoration of Hon. Daniel G. Garnsey, who, with his associates, laid out the addition in which said square is situated, and donated his interest in said square to the public.

The public square in said city, bounded by Second and Third avenues, and Fourteenth and Fifteenth streets, shall be called and known as Stephenson square, in commemoration of Colonel Benjamin Stephenson, for whom the town of Stephenson (now City of Rock Island) was named by the law locating said town.

The public square in said city, bounded by Second and Third avenues, and Nineteenth and Twentieth streets, shall be called and known as Spencer square, in commemoration

of the Hon. John W. Spencer, who donated his interest in said square to the public.

That the park located on the following described land, to-wit: Commencing at the southeast corner of the northeast quarter of section two (2), in township seventeen (17), north range two (2), west of the fourth (4th) principal meridian, where there is planted a stone, and running thence west along the south line of said quarter section six hundred and sixty-nine and five-tenths (669.5) feet to the center line of Twenty-second street in said City of Rock Island, thence north along the center line of said Twenty-second street one thousand and six hundred and fifty-four and one-tenth feet, to where said center line is intersected by the center line produced easterly of Twelfth (12th) avenue, in said city, thence east along said center line of said Twelfth (12th) avenue, in said city, thence east six hundred and eighty-eight and nine-tenths (688.9) feet to the east line of said quarter section, and thence south along the east line of said quarter section one thousand six hundred and seventy-three and one-tenth (1673.1) feet to the place of beginning, shall be known, called and designated as Reservoir Park.

The park located on the following described lands, to-wit: Beginning at a point on the south line of the northwest quarter of section two (2), in township seventeen (17), north range two (2), west of the fourth (4th) principal meridian, which is distant east one thousand and twenty-seven and seven-tenths (1027.7) feet from the point where the center line of Twelfth (12th) street in the said City of Rock Island, intersects said quarter section line and which said first mentioned point is distant two hundred and twelve and five-tenths (212.5) feet, more or less, west from the southeast corner of said quarter section, and running thence east along the south line of said quarter section and the south line of the northeast quarter of said section two (2), one thousand two hundred and fifty-eight and four-tenths (1,-

258.4) feet to the point where said last named line is intersected by the west line of said Seventeenth (17th) street; thence running northwestwardly along the west line of said Seventeenth (17th) street one thousand six hundred and twenty-four and nine-tenths (1,624.9) feet, more or less, to the south line of Twelfth (12th) avenue in said city; thence running westwardly along the south line of said twelfth (12th) avenue eight hundred and eighteen and six-tenths (818.6) feet to a point in the prolongation of Fifteenth (15th) street in said city, and thence running south one thousand five hundred and forty-nine and five tenths (1549.5) feet to the place of beginning, shall be known, called and designated as Long View Park.

The public square located on Block 49, Chicago or Lower Addition to city, which is bounded by Fourth and Fifth streets and Fifth and Sixth avenues shall be named and known as Denkmann square in honor of the donors, Frederick C. Denkmann and Rhoda Lee Denkmann, his wife.

§ 7. The Park Commissioners of the City of Rock Island, Illinois, shall have charge of the boulevard on Seventh avenue from Thirty-fifth street to Forty-sixth street, and shall have the right and authority to care therefore and beautify it as they shall deem appropriate.

Plays and Games Prohibited in—Penalty. § 8. No person shall play at ball or cricket or at any other game whatsoever, in any inclosed public square, park or grounds of this city; or walk, stand or lie upon any part of any inclosed public square, park or grounds, laid out or appropriated for shrubbery or grass, or trample upon, pull up or otherwise injure or destroy any such grass or shrubbery; or turn any horse, cow, ox, ass, sheep, hog or other such animal, into any such public square, park or grounds, or walk, or run, or climb around, or upon any railing or fence surrounding the same, or erect any booth or stall therein under a penalty not exceeding twenty dollars for every such offense. Provided, however, that base ball and other ath-

letic games may be played in such places in Longview Park as shall be designated by the Park Commissioner thereof; and the said commissioners may allow such other proper use of said Longview Park as will not be inconsistent with its use as a public park.

Advertising Structures. § 9. It shall be unlawful for any person, firm or corporation to erect, or cause to be erected, a structure of any kind or character within five hundred (500) feet of any public park or boulevard within the limits of the city of Rock Island for the purpose of placing advertisements of any kind or character thereon. Upon conviction of violation of this section the offender shall be liable to a fine of not more than two hundred (\$200) dollars.

CHAPTER 41

PAWN SHOPS AND JUNK YARDS.

- § 1. To be licensed.
- 2. Pawnbroker defined.
- 3. License, how obtained—terms—bond.
- 4. Pawnbroker's record.
- 5. Memorandum of pledge.
- 6. Time of holding pawn sale.
- 7. Prohibited purchases.
- 8. Report to police department.
- 9. Redemption of pledge.
- 10. Hours of business.
- 11. Dealing with minors.
- 12. Prohibited pledges.
- 13. Police report—revocation.
- 14. Records.
- 15. Junk yards not to be located in residence districts.
- 16. Junk dealers not to buy from minors.
- 17. Penalty.

To be Licensed—Penalty. § 1. No person or persons shall carry on or conduct the business or calling of a pawnbroker within said city, without a license so to do, under the penalty herein prescribed.

Pawnbroker Defined. § 2. Any person who loans money on deposit or pledge of personal property, bonds, notes or other securities, or who deals in the purchasing of personal property, or chooses in action on condition of selling the same back again at a stipulated price is hereby defined and declared to be a pawnbroker.

License, How Obtained—Terms—Bond. § 3. The City Clerk, with the approval of the Mayor, may grant a pawnbroker's license to any person of good character who may apply therefor, upon such person giving bond with approved security in the sum of five hundred (500) dollars, conditioned for the faithful observance of all ordinances of said city applicable to the business so licensed, and paying to the City Clerk the sum required for said license; said license may be issued for three months, for six months, or one year, but not beyond the end of the municipal year, and the applicant shall pay, therefor, as follows: For three months, twenty-five (\$25) dollars; for six months, thirty-five (\$35) dollars; for one year, fifty (\$50) dollars.

Pawnbroker's Record—Penalty. § 4. Every person licensed as a pawnbroker shall keep at his place of business a substantial book, in which he shall enter in writing, a minute description of all property and effects received by him on deposit or purchase, the time when received, and the name and residence of the person or persons by whom they were left, the amount loaned thereon, and the rate of interest, which book shall be kept clean and legible and all entries therein be made with ink and no entry erased therefrom, and such book and any goods, property or effects so purchased by or left with him shall be exhibited to the Mayor or City Marshal on request, during ordinary business hours.

Memorandum of Pledge to Pledgor. § 5. Every pawnbroker and loanbroker, or keeper of a loan office, shall, at the time of each loan, deliver to the person pawning or pledging any goods, articles or thing, a memorandum, or note signed by him or her, containing the substance of the entry required to be made in his or her book by the last

preceding section; and no charge shall be made, or received by any pawnbroker or loanbroker, or keeper of a loan office for any such entry, memorandum or note.

Time of Holding Pawn or Pledge—Sale. § 6. No pawnbroker shall sell any pawn or pledge until the same shall have remained two months in his or her possession after the payment of the amount loaned becomes due, and all such sales shall be at public auction, and not otherwise, unless by consent, in writing, of the party pawning the goods, and then not until after six days' notice in writing has been given, by posting up three written notices in three public places in this city; and when any property is pledged exceeding the value of fifty dollars, such notice shall be by publication in some newspaper printed in said city, for the time above specified.

All surplus money, if any, arising upon such sale, after deducting costs and expenses of sale, shall be paid over to the owner of the article or thing there sold, or to be paid into the city treasury for the use of such persons.

Prohibited Purchases. § 7. No pawnbroker, loanbroker, or keeper of a loan office shall, under any pretense whatever, purchase or buy any second hand furniture, metals, or clothes, or any other article or thing whatever, offered to him or her as a pawn or pledge.

Report to Police Department. § 8. It shall be the duty of every person so licensed, as aforesaid, to make out and deliver to the city marshal every day, before the hour of 12 m., a legible and correct copy from the record book required in section 4 of this article, all of personal property and other valuable things received on deposit during the preceding day, together with the time, meaning the hour, when received or purchased and a description of the person, or persons, by whom left in pledge or from whom the same were purchased.

Redemption or Removal of Pledge—When Prohibited. § 9. No personal property received on deposit, or pledged

by any such licensed person shall be sold or permitted to be redeemed or removed from the place of business of such licensed person for the space of twenty-four hours after the copy and statement required to be delivered to the city marshal shall have been delivered as required by the preceding section.

Hours of Business. § 10. No person licensed as afore-said shall receive on deposit or pledge any personal property, or other valuable thing, before the hours of six a. m., nor after the hour of eight p. m., during the months of January, February, March, April, October, November and December of each year; nor before the hour of five a. m., nor after the hour of nine p. m., during the months of May, June, July, August and September of each year.

Dealing With Minors—Penalty. § 11. No person so licensed shall take or receive in pawn or purchase any article, property or effects, from any minor, or claimed by any minor.

Prohibited Pledges. § 12. No person so licensed shall take any article in pawn from any person appearing to be intoxicated, nor from any person known to be a notorious thief, or to have been convicted of larceny or burglary.

Police Report—Revocation of License. § 13. It shall be the duty of all members of the police force to report to the Mayor any failure to comply with the provisions of this article, and the Mayor may revoke the license of any person offending against any of its provisions, and the Mayor shall, forthwith, revoke the license of any person who shall be convicted of a violation of any provision of this article, whether such judgment of conviction shall have been appealed from or not.

Record. § 14. Every pawnbroker, second-hand, or junk dealer shall keep a book in which shall be entered in writing, at the time of such loan or purchase, an accurate account and description of the goods, articles or thing pawned or bought, including any number that may be in or upon

such goods, article or things; the amount of money loaned thereon or paid therefor; the time of pledging or buying of same; the name and description of the person pawning or selling the said goods, article or thing (showing apparent age, nationality, complexion, color of hair and eyes, and as near as may be the height, together with the residence of such person, giving street and number, if within this city); and if pledged, the rate of interest to be paid upon such loan, and the time when the loan becomes payable. He shall make all such entries at the time of the receipt or purchase of said goods, article or thing, and a copy thereof shall be sent to the chief of police before noon of the following day. All such entries and copies thereof sent to the chief of police, herein provided, shall be in the English language, shall be plainly written in ink, and shall not be in any manner erased, obliterated or defaced; and provided that no pawnbroker, second-hand or junk dealer shall purchase or receive in pawn any article or property from a minor or without the written consent of his parent or guardian.

Not to be Located—Residence Districts. § 15. That within the territorial jurisdiction of the City of Rock Island it shall be unlawful for any person to locate, own, operate or conduct any junk yard or junk store, wherein old metals, bones, hides, rags, rubber, or any other junk are stored and located, on any lot where two-thirds of the buildings within a radius of 300 feet are used for residence purposes exclusively, unless the owner of two-thirds of the lots within a radius of 300 feet consent, in writing, to the location or operation of such junk yard or junk store thereon. Such written consent of the property owners shall be filed with the City Clerk, who is thereby authorized to issue a permit to conduct such junk yard or junk store.

Junk Yard Dealers Not to Buy from Minors. § 16. Any person or corporation owning or conducting, or in anywise engaged in the management or the conduct of any junk yard, scrap iron yard, or second hand store, within the limits of this city, who shall buy, barter, or otherwise ob-

tain from any minor, without the written consent of the parent or custodian of such minor any article, subject of sale or barter, shall be prosecuted and punished as in this section hereinbefore provided.

Violation Hereof—Penalty. § 17. Any person violating any of the provisions of this article, when no other penalty is imposed, shall be subject to a fine not exceeding one hundred (\$100) dollars.

CHAPTER 42

PEDDLERS AND TRANSIENT TRADERS.

- § 1. Peddlers to be licensed—exceptions.
- 2. License—how obtained—terms.
- 3. Number of license to be affixed.
- 4. Peddler defined.
- 5. Peddler to use sealed measure.
- 6. Penalty for violation.
- 7. License required of transient traders.
- 8. Penalty for violation.

Peddlers to be Licensed—Exceptions. § 1. No person shall peddle any goods, wares or merchandise within the limits of said city, without a license for that purpose. Provided, that this requirement shall not extend to any farmer, fruit or vine grower, or gardener, or dairyman, in the sale of the products of his farm, orchard, vineyard, garden, or dairy, nor to women or children peddling apples or other fruits, and not occupying a stand, nor to newsboys peddling newspapers; and, provided, also, that this requirement shall not extend to ex-union soldiers or sailors, honorably discharged from the military or marine services of the United States, provided said soldier or sailor is engaged in the vending, hawking and peddling of goods, wares, fruits or merchandise for himself.

License—How Obtained—Terms. § 2. The City Clerk, with the approval of the Mayor, shall, on application of any person of good character, issue a license to such person,

authorizing him to peddle within said city for the period therein mentioned, which license may be issued for one day, one week or one month, (but not beyond the end of the municipal year) and the applicant shall pay therefor as follows, viz:

When carrying his own goods, for one day, five (\$5) dollars; for one week, ten (\$10) dollars; for six months, fifteen (\$15) dollars; and for any period exceeding six months and not beyond the municipal year, twenty-five (\$25) dollars: Provided, that the Mayor or Clerk, in his judgment, may grant permission to any poor or unfortunate citizen, male or female, who is capable of earning an honest living at said vocation, to peddle free when carrying his own goods, or for a sum as may be agreed upon.

When peddling with a horse or team, for one day, three (\$3) dollars; for one week, five (\$5) dollars; for one month, ten (\$10) dollars; for six months, fifteen (\$15) dollars; and for any period exceeding six months, and not beyond the municipal year, twenty-five (\$25) dollars: Provided, that these provisions shall not apply to any peddlers of venison, poultry, fish or wild game: Provided further, that only one person and a driver shall be allowed for each wagon.

Peddlers occupying a stand may obtain license in like manner for like periods upon paying therefor as follows: For one day, ten (\$10) dollars; for one week, fifteen (\$15) dollars; for one month or any period in excess thereof, and not beyond the municipal year, twenty-five (\$25) dollars.

Number of License to be Affixed. § 3. Every person so licensed shall forthwith cause his name and the number of his license to be plainly painted in letters and figures, and conspicuously placed on the outside of his vehicle during the continuance of his license, and upon its expiration or revocation shall remove and discontinue the use of the same.

Peddler Defined. § 4. Any person, either for himself, or as agent, or solicitor, for another person who shall go about within said city, from house to house, from place to

place, or from customer to customer, and sell, or offer to sell, goods, wares or merchandise of any kind, by retail, for delivery, at the time and place of sale, or at any other place, shall be deemed a peddler.

Measures to be Sealed. § 5. That it shall be unlawful for any peddler selling his wares in this city to use any measure without first having had same tested and sealed by the Chief of Police, whose duty it shall be to test as to accuracy and correctness and seal all measures presented to him, upon the payment of twenty-five cents. No license shall be granted to any peddler until the measures to be used by him shall have been tested and sealed as above provided.

Penalty for Violation. § 6. Any person who shall violate any of the provisions of this article shall be subject to a penalty of not less than five (\$5) dollars nor more than one hundred (\$100) dollars for each offense.

TRANSIENT TRADERS.

License Required of. § 7. No transient trader or merchants who may come to the City of Rock Island and open a store or place for the purpose of selling or disposing of goods, wares or merchandise at auction or private sale, as owners or agents, temporarily, not intending to establish a permanent or regular business in said city, shall carry on such vocation without a license therefor, which license may be issued by the City Clerk upon the payment by the applicant, for the use of the city, of the sum of one hundred dollars a week or a fraction thereof.

Penalty for Violation Hereof. § 8. Any person violating section seven of this ordinance shall, upon conviction, be subject to a fine of not less than twenty-five dollars for each offense.

CHAPTER 43

PLUMBERS' BOARD.

- § 1. Board of Examiners.
2. Quorum.
3. Secretary of Board.
4. Application for examination.
5. Examination.
6. Compensation of Board.
7. Penalty for violation.

Board of Examiners. § 1. There is hereby created a board of examiners of plumbers for the City of Rock Island, consisting of three members, one of whom shall be the chairman of the board of health, who shall be ex-officio chairman of the board of examiners; and a second member who shall be a master plumber, and a third member who shall be a journeyman plumber. Said second and third members shall be appointed by the Mayor and approved by the City Council, and shall hold their offices for a term of one year from the first day of May in the year appointment, and thereafter they shall be appointed annually at the first regular meeting of the City Council in May of each and every year.

Quorum. § 2. Two members of said board of examiners shall constitute a quorum for the transaction of all business.

Secretary. § 3. The said board of examiners shall elect one of their members clerk of the said board, whose duty it shall be to keep a record of the meetings of said board, and to register the names and residences of all persons examined by the said board, and the kind of certificate issued to each, if any, and the date thereof.

Application. § 4. Any person desiring to be examined for a certificate as a master plumber, or employing plumber, or a journeyman plumber, by the board hereby created, shall make application therefor to the said board of examiners on blanks furnished by the said board, and such application shall be accompanied by a receipt from the City Clerk of

the fee herein provided for, which sum shall be in full payment of all charges connected herewith.

Examination. § 5. The board of examiners shall at stated times and on due notice meet to consider application of persons or firms to be examined for certificates as master plumbers, or as employing plumbers, or journeymen plumbers, and shall examine all applicants as to their qualifications, to carry on the business of plumbing, gas fitting and constructing, ventilation, drainage, sewer, soil and water pipes, or connections therewith, and shall issue a certificate in a form approved by the board of examiners to each applicant found qualified to the satisfaction of the said board. The fee for a certificate for a master plumber or employing plumber shall be five (\$5) dollars, and for a journeyman plumber one (\$1) dollar, and said certificate shall state whether it authorizes the holder thereof to engage in the work of plumbing as a master plumber or an employing plumber or a journeyman plumber. Every person applying for the examination above required shall first pay the sum of five (\$5) dollars for the purpose of purchasing the necessary materials to use in the said examination.

Compensation. § 6. The health officer shall receive no compensation for his services as chairman of the board of examiners other than his regular salary as commissioner of health. The master plumber and the journeyman plumber shall each receive \$1.00 for each and every meeting of the board: Provided, that in case the plumbing inspector is a member of the board he shall receive no extra compensation for his services thereon.

Penalty. § 7. Any person who shall engage in the work or business of plumbing in the City of Rock Island, either a master plumber or employing plumbing or a journeyman plumber, without first having obtained a certificate from a duly qualified board of examiners within the State of Illinois, shall be deemed guilty of a misdemeanor and be subject to a fine of not less than five (\$5) dollars nor more than fifty (\$50) dollars for each and every offense.

CHAPTER 44

PLUMBING REGULATIONS.

- § 1. Plumber's license.
- 2. Change of location or name.
- 3. Plumbing inspector.
- 4. Qualification of plumber.
- 5. Bond of plumbing inspector.
- 6. Duty of inspector.
- 7. Record.
- 8. Fees.
- 9. Approval of plans.
- 10. Connection with sewer.
- 11. Complaints of faulty construction.
- 12. Inspector must be notified.
- 13. Permit to do work.
- 14. All work to conform to regulations.
- 15. Approval of plans by health department.
- 16. Plans and specifications.
- 17. Drawings.
- 18. Material.
- 19. Laying of sewers.
- 20. Soil pipe.
- 21. Arrangement of soil pipes.
- 22. Drain passing through new foundation wall.
- 23. Vertical soil pipe.
- 24. Horizontal soil pipe.
- 25. Waste pipe two feet above roof.
- 26. Ventilation traps not to interfere with.
- 27. Testing work.
- 28. Weight of iron pipe.
- 29. Weight of lead pipe.
- 30. Size of lead bends or traps.
- 31. Size of waste pipes.
- 32. Joints to be caulked.
- 33. Connection of lead with iron pipe.
- 34. Lead pipes to be wiped.
- 35. Traps.
- 36. Location of traps.
- 37. Ventilation of traps.
- 38. Requirements of anti-syphon pipe.
- 39. Overflow pipes not connectgd with waste pipe.
- 40. Waste pipe from refrigerator.
- 41. Overflow pipe discharged into open fixture.
- 42. Water closets.
- 43. Water closets on different floors.
- 44. Outside water closets.
- 45. Ventilation or room.
- 46. Connections of water closet.
- 47. Urinals.
- 48. Rain water conductors.
- 49. Exhaust pipe.
- 50. Connection of cess pool.
- 51. Permission of council to connect.

52. Construction of cellar drain.
53. Whirl pool closet not allowed.
54. Wooden sinks not permitted.
55. Trapping of fixtures.
56. No crosses allowed.
57. Stop cocks.
58. Watering troughs.
59. Permit required to connect with water works.
60. Excavations in street.
61. Pipe.
62. Violation of ordinance—penalty.

PART I.

Plumber's License. § 1. That any person desiring to engage in, or work at the business of plumbing in the City of Rock Island as a master plumber or an employing plumber shall first obtain a license so to do for each establishment or place of business to be maintained by him, and shall pay for every such license the sum of ten (\$10) dollars, and no license shall be issued in pursuance of this ordinance to any person who does not hold a certificate from a duly qualified Board of Examiners of Plumbers, as required by the laws of the State of Illinois.

2. That every person desiring said license shall file with the City Clerk an application in writing, giving his name and the name of any firm of which he may be a member, and the location of his place of business, together with his certificate from a duly qualified Board of Examiners in the State of Illinois authorizing him to engage in or carry on the business of plumbing, either as a master plumber or employing plumber, and such applicant shall also file with the application aforesaid a bond in the penal sum of five thousand (\$5,000) dollars, running to the City of Rock Island, with two sureties, to be approved by the Mayor, conditioned upon the faithful performance of all the duties required by ordinance, rule or regulation of the City Council, and that he or they will suitably guard and protect any excavations or obstructions, and defend, save, keep harmless and indemnify the said city of and from all actions, suits, costs, damages and expenses whatsoever, including attorney's fees, which shall or may at any time happen to come to it for or on ac-

count of any injuries or damages received or sustained by any party or parties, caused by any negligence in either the execution or protection of his or their work, or from any unfaithful or inadequate work done under or by virtue of his or their license.

Upon compliance with the requirements of the preceding section the Mayor shall issue a license to such applicant, which shall be signed by the Mayor and City Clerk, and no such license shall be granted for a longer period of time than one year, or the unexpired portion thereof, so that all such licenses shall expire on the first day of May in each year.

All licensed plumbers shall be held responsible for all acts of their agents done by virtue of his or their license, and when two or more persons shall become partners a license shall be issued in the name of the firm or acting partnership, and no license shall be transferable.

Change. § 2. Any change of the firm name or location of business must be promptly reported to the plumbing inspector.

Plumbing Inspector. § 3. There is hereby created the office of plumbing inspector, who shall be appointed by the Mayor, by and with the consent of the City Council, for a term of one year from the first day of May in the year of appointment, and annually thereafter, at a salary of twelve hundred dollars per annum; and the plumbing inspector may be a member of the board of examiners of plumbers.

Qualifications. § 4. No person shall be appointed to the office of plumbing inspector who is not reasonably skilled in the business of plumbing, house drainage and ventilation, and who does not hold a certificate as a master or employing or journeyman plumber from a duly qualified board of examiners of plumbers in the State of Illinois.

Bond. § 5. Said plumbing inspector shall, when entering upon the duties of his office, execute a bond, running to the City of Rock Island, in the penal sum of two thousand

(\$2,000) dollars, with two or more sureties, to be approved by the Mayor and City Council, conditioned for the faithful performance of his duties, and he shall take and subscribe the oath prescribed for city officers, and shall not, during his incumbency of said office, be interested, directly or indirectly, in any sewer or plumbing contract or the profits thereof, in the City of Rock Island, and he may be removed at any time for cause by the Mayor or City Council.

Duties. 6. It shall be the duty of the said plumbing inspector to see that the construction, maintenance and control of the plumbing, drainage and ventilation of all buildings in the City of Rock Island shall hereafter conform to and comply with the rules and regulations established by this ordinance, and to pass upon all plans submitted, to keep a daily record of his work, including all notices and applications received, permits granted, violations of these regulations, and all other matters which may pertain thereto. He shall inspect the plumbing in houses in the course of erection, undergoing alteration or repair, as often as may be necessary, and shall see that all work for plumbing, drainage or ventilation is done in accordance with the provisions of the regulations of this ordinance, and shall collect all fees due said department.

Record. § 7. The plumbing inspector shall keep in suitable form a record of all plans and specifications examined by him, whether approved or rejected, and whether for new buildings or of old systems inspected and examined by him and shall, as soon as possible, complete the record of the plumbing, or want of plumbing, sewer connection, etc., in each building in the city, with such explanation and notes appended thereto as will enable future boards of inspectors to trace sources of filth and causes of sickness, and enforce the best sanitary conditions, and to preserve the public health without re-examination or inspection of plumbing, drainage and ventilation. Plans will be approved or rejected within twelve (12) hours when practicable, and under no circumstances will a delay beyond five (5) days be permitted.

Fees. § 8. The plumbing inspector shall collect the following fees :

For each application for a permit in a new building, or for alteration of existing plumbing, as follows :

When the work consists of one fixture one (\$1) dollar, and for each fixture thereafter the sum of one (\$1) dollar.

For the inspection and written approval of the plumbing in any new building, or suggested changes of any old system of plumbing and drainage, as follows :

For a private building, one (\$1) dollar per fixture; for a public building, one (\$1) dollar per fixture, and for inspection of connections with sewer, drainage or soil pipe, one (\$1) dollar, and a like sum of one dollar for the inspection of all openings left for future connections with sewer, drainage and soil pipes. All said fees shall be paid at the time application for the permit is filed, or plans for any system of plumbing or drainage submitted for approval to the inspector of plumbing, who shall keep an accurate account of all fees paid and required to be paid to him, giving the name of the party paying the same, the date paid and the amount of the fees; and the said plumbing inspector shall on the last day of each and every month, pay to the City Treasurer all moneys collected by him, and shall take a duplicate receipt therefor, and shall deposit such duplicate receipt with the City Clerk, and shall make monthly reports to the City Council, showing the receipts and expenditures and entire work of his department during the preceding month.

Approval of Plans. § 9. All approved plans, drawings, specifications or descriptions shall be permanently marked "approved" and signed by the plumbing inspector. The said inspector shall also issue a certificate of approval, which shall be made in book form, well bound and numbered in duplicate from one upwards. These duplicates shall be signed by the plumbing inspector, one of which shall be delivered to the present firm or corporation filing the plans,

specifications and descriptions, and the other to remain undetached in said book in the office of the inspector. No change or modification of the approved plan will be permitted unless such change or modification be authorized by the owner or agents, and the modified plans will be submitted to the plumbing inspector and approved and placed on file as in the case of original work. No portion of the plumbing or drainage work in any building shall be executed until the above mentioned plans and descriptions shall have been approved by the plumbing inspector.

Connection. § 10. No fee will be required for a permit to make connections with sewer, drain or soil pipe, but when the connection is made, the plumber doing the work shall notify the plumbing inspector, who shall as soon as practicable, inspect the work and approve or reject the same, and in case the same is not approved by the plumbing inspector, he shall suggest the changes necessary to make the work conform to the requirements of this ordinance and to be safe and sanitary in every respect, and require the work to be done in compliance with such suggestions before the same is approved.

Complaints. § 11. Whenever it shall come to the knowledge of the inspector, or complaint in writing shall be made by two citizens, that the plumbing in any building causes a nuisance, or is contrary to the ordinances of this city, or is a faulty construction and liable to breed sickness or disease, or injure the health of the occupants, or upon request of any owner or agent of any building fitted with plumbing prior to the passage of this ordinance, to the health department, the said health department shall direct the plumbing inspector to examine the plumbing in any such building, and said inspector shall make a drawing of the plans of such plumbing, drainage and sewer, and ventilation shaft connections. He shall report his findings in writing to the health department, and suggest such changes as may be necessary to make the same conform to the rules governing these matters, and the health department shall

then notify the owner or owners, or agent of any such building, of the changes which are necessary to be made in the plumbing, and upon refusal or neglect of the owner, owners or agent of such building to make the changes suggested by the said health department within the time prescribed by the said department, then the said department shall proceed to have such changes made and such nuisance abated, and to recover expenses from the owner or occupants of said premises.

Inspector Must be Notified. § 12. The plumbing inspector must be notified when the work is begun and when any work is ready for inspection, by the plumbers doing the work. All work must be left uncovered and convenient for examination until inspected and approved. No such notice shall be sent until the work is entirely ready for thorough inspection. In case of any violation of this regulation, the approval of said plans may be at once revoked by the plumbing inspector, and upon notice of revocation being given, all work on said plans must be ceased.

Permit. § 13. No person, firm or corporation shall do any plumbing work, except in the case of repairing leaks, or make any connection with sewer, drainage, soil or waste pipes in the City of Rock Island without first obtaining a permit so to do from the inspector of plumbing as hereinafter provided.

Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and be subject to a fine of not less than five (\$5) dollars and not more than fifty (\$50) dollars.

All Work Properly Done. § 14. That the construction, maintenance and control of plumbing, drainage and ventilation of all buildings in the City of Rock Island shall hereafter conform to and comply with the following rules and regulations:

EXECUTION OF WORK.

Approval. § 15. The drainage of all buildings, public

or private, and the alteration of the same, shall be executed in accordance with the plans and specifications previously approved in writing by the health department.

Plans. § 16. There shall be a separate plan for each building, public or private, accompanied by specifications describing the drainage of said building on blanks prescribed and furnished for this purpose, showing the size and kind of pipes, the traps, closets, fixtures, etc., to be used, the same to be placed on file in the office of the health department, said drawings and descriptions to be furnished by the owner, or his authorized agent, and prepared by the architect or builder, where one is employed.

Any application for a change in plan must be made in writing to the health department.

Drawings. § 17. Rules for drawings and specifications for drainage will be furnished on application at the office of the health department. One verticle drawing will be sufficient for a building where it can be made to show all the work. If the work is intricate and cannot be shown by one drawing, two or more shall be made.

MATERIAL.

Material. § 18. All material shall be of good quality and free from defects, and the work must be executed in a thorough and workmanlike manner.

Laying of Sewers. § 19. The main drain of every house or building shall be connected with the street sewer, where one is provided, the sewer to be run as direct as possible and to avoid all curves and bends. All sewers to be left uncovered and an iron pipe to be cemented in tile and run through the wall for inspection, and may use running trap and fresh-air inlet between house and street sewer, and where there is no sewer in the street, and it is necessary to construct a private sewer to connect with one on an adjacent street, such sewer plans may be used as may be approved by the health department, but in no case shall a joint drain be

made in cellars parallel with the street or alley. Where no opening has been left in a tile sewer for house connection, a "T" or "Y" shall be put in. No tile sewer shall be cut into without a written permit from the inspector. All house drains laid beneath the ground inside of buildings or beneath the cellar floor, shall be extra heavy cast iron pipe of size approved by the health department, with well leaded and caulked joints. All other drains or soil pipes connected with the main drain, or where the main drain pipe is above the cellar floor, shall be of extra heavy cast iron, or lead pipe. Outside of buildings where the soil is of sufficient solidity for a proper foundation, cylindrical terra cotta pipes of the best quality, free from flaw, splits or cracks, perfectly burned and well glazed over the entire inner and outer surfaces, may be used, laid on a smooth bottom, with a special groove cut in the bottom of trench for each hub, and the soil well rammed on each side of the pipe; the spigot and hub ends shall be concentric. The space between the hub and pipe shall be thoroughly filled with the best cement mortar made of best cement and sand, thoroughly mixed dry, and water enough afterward added to give it proper consistency. The cement must be mixed in small quantities at a time and used as soon as made. The joints must be carefully wiped and jointed, and all mortar that may be left inside thoroughly cleansed out and the pipe left clean and smooth throughout. No tempered cement shall be used, and the different sections shall be laid in a perfect line on the bottom and sides; but in no case shall a terra cotta pipe be permitted within less than three (3) feet of any foundation wall or air inlets.

SOIL PIPE.

Soil Pipe. § 20. The main soil pipe under the building shall not be less than four (4) inches in diameter. It shall be laid in a trench cut at a uniform grade, or it may be constructed along the foundation walls above the cellar floor, properly supported. All sink wash basins, bath tubs, slop sinks, wash trays to have no less than two (2) inch extra

heavy cast iron soil pipe stacks. A clean-out shall be placed at base of each stack of iron soil pipe by the inspector until said pipes are secured to his satisfaction.

Arrangement of Pipes. § 21. The arrangement of soil and waste pipes shall be as direct as possible. All changes in direction or horizontal runs shall be made with "Y" branches, one-sixteenth (1-16) or one-eighth ($\frac{1}{8}$) bends.

Drain. § 22. Where the drain passes through a new foundation wall, a relieving arch of brick or stone, or solid stone shall be built over it, with a two-inch clearance on each side.

VENT PIPES.

Vertical Soil Pipe. § 23. Every vertical soil pipe shall extend at least six (6) inches above the center of the roof, or at least twenty (20) feet from the next building, and shall be of undiminished size, with the outlet uncovered. Such soil pipes shall not open near a window nor an air shaft. Where a two (2) inch pipe is used for ventilation, it must be enlarged to four (4) inches two (2) feet below the line of roof, and run out two (2) feet above roof; and where a four (4) inch pipe is used it must be enlarged to six (6) inch; where a six (6) inch is used it must be enlarged to eight (8) inch; all to follow above rule, and in no case shall a smaller pipe than four (4) inch be allowed to project through a roof ventilation.

Horizontal Soil Pipe. § 24. Every branch or horizontal line of soil pipe to which a group of two (2) or more water closets is to be connected, and every branch line of horizontal soil pipe eight feet or more in length to which a water closet is to be connected, shall be ventilated either by extending said soil pipe undiminished in size to at least two (2) feet above the roof, or by extending said soil pipe and connecting it with the main soil pipe above the highest fixtures, or by a ventilating pipe connected to the lead-bed bend soil pipe under closet, not less than two (2) inches in diameter, and connected to a special air pipe, which shall not be less

than four (4) inches in diameter, or by connecting said ventilating pipe with the main soil pipe three (3) feet or more above the highest fixture.

Waste Pipe. § 25. Where a separate line of waste pipe is used, not connected with the sewer pipes, it shall also be carried two (2) feet above the roof unless otherwise permitted by the health department. But in no case shall a waste pipe connect with a rain water conductor.

Ventilator Pipes. § 26. There shall be no traps, caps or cowls on soil and waste pipes which will interfere with the system of ventilation.

TESTING WORK.

Testing Work. § 27. The owner or agent of any building or buildings shall have the entire drainage system tested, and all soil, waste, anti-syphon pipes and traps inside of new buildings, and of the new work in old buildings; also the entire system when alterations are made in old buildings, and shall have all openings stopped and all pipes filled with water to the highest point as a test.

After all the fixtures are placed a smoke test shall be made by the plumber and approved by the plumbing inspector before certificate is given.

QUALITY OF PIPES, WEIGHT, ETC.

Weight of Pipe. § 28. All drain and anti-syphon pipes of cast iron shall be sound, free from holes and of uniform thickness, and shall not have less than the following relative weights:

EXTRA HEAVY.

2-inch pipe, 5½ pounds per foot.

3-inch pipe, 9½ pounds per foot.

4-inch pipe, 13 pounds per foot.

5-inch pipe, 17 pounds per foot.

6-inch pipe, 20 pounds per foot.

7-inch pipe, 27 pounds per foot.

8-inch pipe, 33½ pounds per foot.

10-inch pipe, 45 pounds per foot.

12-inch pipe, 54 pounds per foot.

Weight of Lead Pipe. § 29. Lead waste pipes may be used for horizontal lines that are two (2) inches or less in diameter, and shall have not less than the following prescribed weights:

1-inch pipe, 2 pounds, 8 ounces per foot.

1¼-inch pipe, 3 pounds per foot.

1½-inch pipe, 4 pounds per foot.

2-inch pipe, 5 pounds per foot.

Bends. § 30. Lead bends or traps for water closets shall not be less than one-eighth ($\frac{1}{8}$) of an inch in thickness.

Joints. § 31. Waste pipes from wash basins shall not be less than one and one-quarter ($1\frac{1}{4}$) inches in diameter, and pipes for wash trays, bath tubs, slop sinks and sinks, shall not be less than one and one-half ($1\frac{1}{2}$) inches in diameter.

JOINTS.

Joints to be Caulked. § 32. All joints in cast iron drain, soil and waste pipes shall be caulked with oakum and lead.

Connections of Lead and Iron Pipe. § 33. All connections of lead with iron pipe shall be made of extra heavy brass ferrule, or brass solder nipple, not less than one-eighth ($\frac{1}{8}$) of an inch in thickness, and shall be put in the hub of the iron pipe and caulked in with lead, except in cases of iron water closet traps or old work, when drilling or tapping is permitted, the lead pipe shall be attached to the ferrule by a wiped solder joint.

Wiping. § 34. All connections of lead pipe shall be wiped solder joints.

TRAPS.

Traps. § 35. Every water closet, sink, basin, wash tray, bath and every tub or set of tubs shall be separately and effectually trapped. A grease trap shall be constructed under the sink of every hotel, eating house, restaurant or other public cooking establishment. The trap to be no less than twelve (12) inches deep, and ten (10) inches wide, and the hand hole to be no less than four (4) inches in diameter. All sinks, bath tubs, wash tubs and slop hoppers to have a four (4) inch drum trap. Wash bowls to have not less than one and one-quarter ($1\frac{1}{4}$) inches in diameter, "S," or half "S" traps or bottle traps; urinals to have not less than one and one-half ($1\frac{1}{2}$) inches in diameter, "S" or half "S" traps or bottle traps, all lead traps shall be extra heavy drawn traps, and all traps whether lead or brass to have union vent connections.

A grease trap should be placed on all sinks wastes. An approved anti-syphon trap may be used on old work, only upon a written permit from the health department.

Location. § 36. The trap must be placed as near the fixture as practicable. All waste pipes shall be provided with strong metallic strainers. All drains from hydrants shall be trapped and in a manner accessible for cleaning out.

ANTI-SYPHON PIPES.

Ventilation of Pipe. § 37. Each and every trap shall be ventilated by a pipe running from the crown of the trap, except on syphon closets, the vent is to be taken from the highest point under the floor and carried to the soil pipe above the highest fixtures, or connected with a special pipe erected for ventilating purposes only.

Anti-Syphon Pipe. § 38. Every anti-syphon pipe shall be of brass, lead, wrought iron lead lined, or cast iron pipe. They may be combined by branching together those which serve several traps, but vent pipes outside of water closets shall not be of less than one and one-fourth ($1\frac{1}{4}$) inches

for twenty (20) feet, and one and one-half ($1\frac{1}{2}$) inches for fifteen (15) additional feet; two (2) inches for forty (40) additional feet, and three (3) inches for sixty (60) additional feet. Where two (2) fixtures connect into one (1) vent pipe, such connection shall be of not less than one and one-half ($1\frac{1}{2}$) inch pipe. Where three (3) or more fixtures connect, such connections shall not be less than two (2) inch pipe, but all pipes for water closet traps shall not be less than two (2) inches bore for forty (40) feet or less, and of not less than three (3) inch bore for more than sixty (60) feet or less. There shall be no more than twelve (12) water closet vent openings connected into a two (2) inch pipe.

Where vent pipes from traps go through walls, the angle shall not be more than forty-five (45) degrees. The distance from floor to vent at wall shall not be less than twenty-five (25) inches for sink or basin and sixteen (16) inches for trap to bath tubs. Each vent from traps to have a union connection or trap screw not over six (6) inches from trap. These pipes, where not vertical, must always have a continual rise to avoid collecting water by condensation, but in no case shall the horizontal vent pipe be below overflow of fixture.

WASTE, DRIP PIPES, ETC.

Overflow Pipe. § 39. All drip or overflow pipes from safes under wash basins, baths, urinals, water closets or other fixtures shall be a special pipe run to cellar or outside the house, or some conspicuous point, and in no case shall any such pipe be connected with a soil drain or waste pipe.

Waste Pipe from Refrigerator. § 40. No waste pipe from a refrigerator or other receptacle in which provisions are stored shall be connected with any drain, soil or other waste pipe. Such waste pipes shall be so arranged as to admit of frequent flushing and shall be as short as possible.

Overflow Pipe. § 41. The overflow pipes from tanks

and the waste pipes from refrigerators shall discharge into an open fixture properly trapped.

WATER CLOSETS.

Water Closets. § 42. All water closets within buildings shall be supplied with water from special tanks or cisterns, which shall hold not less than eight (8) gallons of water when up to the level of the overflow pipe for each closet supplied, excepting automatic or syphon tanks, which shall hold not less than five (5) gallons of water for each closet supplied; the water in said automatic syphon tanks shall not be used for any other purpose. The flushing pipe of all tanks shall not be less than one and one-quarter ($1\frac{1}{4}$) of an inch in diameter.

On Different Floors. § 43. A group of closets may be supplied from one tank, but water closets on different floors shall not be flushed from one tank.

Outside Water Closets. § 44. Water closets, when placed outside of buildings, shall be arranged so as to be conveniently and adequately flushed, and their water supply pipes and traps shall be protected from freezing by placing them in a hopper pit at least five (5) feet below the surface of the ground, the walls of which shall be of brick, tile or stone, laid in cement mortar. The waste water from the hopper stop-cock shall be conveyed to the drain pipe through a three-eighths ($\frac{3}{8}$) inch lead pipe properly tapped and connected.

Ventilation of Room. § 45. No water closet shall be permitted to be put in any building or buildings unless it shall have been properly ventilated or in direct communication with the external air by a window or an air shaft having an area to open air of at least two (2) square feet.

Connections. § 46. All water closets within a building using lead connections shall be soldered to a cast brass flange not less than three-sixteenths ($\frac{3}{16}$) of an inch in thickness (fitted with a pure rubber gasket of sufficient thickness to insure a tight joint) bolted to the closet.

URINALS.

Urinals. § 47. Where latrines or urinals are used for schools, public or private buildings, they shall be of iron or other non-porous material as good; shall be properly supplied with water and thoroughly ventilated to satisfaction of health department.

RAIN WATER CONDUCTORS.

Rain Water Conductors. § 48. Rain water conductors shall be discharged onto the surface ground, or into street or alley gutters, and where necessary to conduct to sewer, shall get special permit from the health department. Rain water leaders when within a building shall be extra heavy soil pipe, where connected with drain, waste or soil pipe, and shall be trapped five (5) feet or more from main drain or soil pipe. The pipe to be used shall be no less than three (3) inches in diameter.

EXHAUST PIPES.

Exhaust Pipes. § 49. No steam, exhaust, blow-off or drip pipes shall connect with the sewer or other house drain, soil or waste pipe. Such pipes shall be discharged into a tank or condensor, from which a suitable outlet into house drain shall be provided.

Connection of Cess Pool. § 50. No connection from any cess pool or privy vault shall be made with any sewer.

CELLAR DRAINS.

Permission to Connect. § 51. No opening will be permitted in the drain pipe any building for the purpose of draining a cellar, unless by special permission of the health department.

Cellar Drain. § 52. Cellar drains shall be constructed as follows: By a system of trench drains, or field tile to a catch basin, flagged over. The outlet pipe shall be properly tapped and connected with the house drain, and shall also

be provided with a back-pressure valve or stop-cock of the required size, or a seiben combination back water floor drain, or its equal, may be used.

IMPROPER FIXTURES.

Whirl Pool Closet. § 52. No person shall place in any building a whirl pool or plunge water closet, or a pan water closet, and when such kind of closet is removed for repairs or other causes, it shall not be replaced.

Wooden Sinks. § 54. Wooden wash trays and sinks are not permitted inside of any building. They shall be of non-absorbent material.

TRAPPING FIXTURES.

Trapping of Fixtures. § 55. Every water closet, urinal, sink, basin, bath and every set of wash trays, tub, or set of tubs, must be separately and effectively trapped. When floor washes are connected it must be by means of a deep seal trap and brass trap screw. Traps on bath tubs must be placed in such a manner that the clean-out will be in plain view and above the floor.

No Crosses Allowed. § 56. No crosses or sanitary crosses shall be used in vertical or horizontal lines of soil pipe, and all first floors are to have Y's, and all floors above first floors are to have half Y's.

STOP-COCKS.

Stop-Cocks. § 57. There shall be a stop-cock placed in every attachment to main, lateral or extension of service supply in streets, under the sidewalks, within one foot of curb stone; in alleys within one foot of the side lines of same. Each house shall have a separate stop-cock, the latter five feet below grade and with a T-head of uniform size to be inclosed in a substantial iron casing, coming to grade with a tight-fitting iron cover with the word "Water," or letter "W" cast on said cover. The special kind of cock to be used in this work for services from one-half to two

inches inclusive, is the Inverted Key Curb Stop-Cock, having a sand cap to protect the plug from dirt and grit and known as the H. M. pattern, or some other equally as good, and subject to the approval of the superintendent of the water works and plumbing inspector. These cocks are to be made from red brass metal, thoroughly tested and guaranteed to stand 200 pounds hydraulic pressure. The weights of the different cocks from one-half to two inches inclusive, shall not be less than the following:

1½-in. Inv't Key Curb Stop-Cock for I. P.,	1 lb. 31½ oz.
5⁄8-in. Inv't Key Curb Stop-Cock for I. P.,	13 oz.
¾-in. Inv't Key Curb Stop-Cock for I. P.,	9 oz.
1 -in. Inv't Key Curb Stop-Cock for I. P.,	oz.
1¼-in. Inv't Key Curb Stop-Cock for I. P.,	1 oz.
1½-in. Inv't Key Curb Stop-Cock for I. P.,	3 oz.
2 -in. Inv't Key Curb Stop-Cock for I. P.,	oz.

For service connections, 2½ inches and 3 inches, there shall be used a brass T-head gate valve, to be enclosed in a substantial iron casing, coming to grade with a tight-fitting iron cover with the word "Water," or the letter "W" cast on the cover.

Curb boxes shall be used, which shall be placed at the curb line, and the J. B. Campbell's curb box, or some other curb box equally as good, shall be used.

Any person who violates any of the provisions contained in this ordinance shall be fined not less than ten dollars or more than one hundred (\$100) for each offense.

Watering Troughs. § 58. That all lined or unlined wooden or light cast watering troughs now in use in this city, whether upon the streets, sidewalks or alleys thereof, or whether the same are used and operated on private premises are, and the same are hereby condemned and the use of the same is forbidden.

That all the said troughs now in use shall be removed by the 10th day of July, 1900, and where a watering trough is desired to be used, what is known as the heavy cast iron

automatic trough, with standing waste and water supply inside, shall be used and substituted; with a check waste stop to shut off water supply to prevent freezing.

Said troughs are to be placed, and are to be subject to the approval of the water works committee of the City Council.

Permit required. § 59. Any plumber wishing to connect any pipes or plumbing with the water pipes or mains of the city water works, or place any curb stop water boxes, shall procure from the superintendent of the water works a permit for that purpose, application for which shall be made in writing upon blank forms furnished by the city, and setting forth the particular facts and information therein required, and the making of such connection and placing of such curb stop water boxes shall be subject to the inspection and control of the superintendent of water works. Such curb stop water boxes to be placed one foot inside of curb line. All plumbers locating and constructing such boxes shall report in writing within ten days of the completion of such work to the superintendent of the water works of the location of such boxes, giving the measurements from street and property line. Provided that such permit to connect shall be given only for the purpose of making water works connection and shall not give authority to dig or make a ditch, drain or other excavation, in any street, avenue, alley or public ground, for which permission from the superintendent of streets is required, under the Revised City Ordinances.

Provided further, that after having completed the work authorized by such permit, such plumber shall make a report in writing to the collector of water rents of the work done and the location and a number of connections made, together with a description of the premises, number of rooms and such other information necessary for the proper control of the use of water in and upon such premises.

Excavations in Streets, Etc.—Paving Material, Etc., Kept Separate—Street to be Kept in Repair. § 60. In

making excavations in streets, alleys or highways for the laying of service pipes or in making repairs, or for any other purpose, the paving material and the earth removed, must be kept separate and deposited in a manner that will occasion the least inconvenience to the public; also the street, alley or highway so excavated must be kept in the same repair as other portion of the street adjacent thereto by said plumber for a period of one year after the said excavation.

Pipe—Lead, Galvanized or Calamine Iron to be Used Only. § 61. No pipe other than lead, galvanized or calamine iron shall be used in any new work or repairs of old which may be done hereafter under the authority of the license issued by the City of Rock Island for the purpose of street service.

Violation of Ordinance—Penalty. § 62. Any person who shall, within said city, lay any water service pipes, or introduce into or about any building or on any grounds, any water pipes, or do any plumbing work in any building or on any grounds, for the purpose of connecting such pipes or plumbing work with the pipes of the Rock Island city water works, or of preparing them for such connection, with the view of having such premises supplied with water by said water works, or who shall make any addition to, or alteration of any water pipe, bath, water closet, stop-cock, or other fixtures or apparatus for the supplying of any premises with water, or who shall make any opening in, or connection with any of the water pipes or mains of the city water works, without being duly licensed as a plumber, and to do plumbing work within said city, and without having obtained a permit for the doing of such work, preparatory to, and for making connections with said water works as herein provided, or who shall violate any other provision of this chapter, shall be subject to a fine of not less than five dollars nor exceeding one hundred dollars.

CHAPTER 45

POLICE.

- § 1. How constituted.
2. Mayor, head of—to establish police regulations—may appoint special policemen.
3. City Marshal—duties—monthly reports.
4. Policemen—powers and duties of—daily reports to marshal—record to be kept by marshal.
5. Policemen may enter building by force and make arrests in certain cases.
6. Duties of policemen—not to engage in business that may interfere with duties, nor be about without permission.
7. Marshal to keep an office—require policemen to report.
8. Policemen to report and render assistance to marshal.
9. Policemen guilty of neglect of duty, fraud, oppression, etc.—penalty.
10. Penalty for resisting officer.
11. Persons must assist police when called on—penalty for refusal.
12. Falsely representing police—penalty.
13. Hackmen, porters, runners, etc., to obey police officers at depot, landing and public places.
14. Blacklisting habitual drunkards.

Police Department—How Constituted. § 1. The police department of said city shall consist of the city marshal, a deputy marshal, one police matron, city detective, and such policemen as shall, from time to time, be appointed by the Mayor, by and with the consent of the City Council, who shall act and be known as police officers of said city.

Mayor, Head of Department—Powers to Establish Police Regulations. § 2. The Mayor shall be the head of the police department, and shall superintend and direct the police generally, and from time to time give such directions as he may deem proper and necessary for the preservation of the peace and good order, and the enforcing of the laws and ordinances of said city; and may, from time to time, by and with the consent of the City Council, make and establish such police regulations as may by him be deemed expedient or necessary for the government and control of the police department, and to promote the efficiency and usefulness of the members thereof. Such police regulations may prescribe the duties of the police officers and policemen

more specifically than is herein contained, and may provide such penalties and forfeitures for neglect of duty, or improper conduct (such as removal, suspension from pay, fine or reprimand) as may be deemed necessary and expedient for the proper regulation of the different members of the police department, which rules shall be in writing, or printed, signed by the Mayor or Clerk, and be binding on all officers connected with the department after notice thereof. A copy of such rules shall be delivered to each police officer, and also be posted conspicuously in the city marshal's office, and police magistrate's office.

He shall have power, on the application of any person or persons, showing the necessity thereof, to appoint and swear any additional number of special patrolmen of the police force to do special duty at any fixed place within the city, at the charge and expense of the person or persons by whom the application is made, and shall keep a correct list of all persons so appointed; and persons so appointed shall conform to and be subject to all rules and regulations governing the police force of the city, and to such special rules and regulations as the Mayor may make concerning such police patrolmen. They shall possess all the powers, privileges and duties of the regular police patrolmen, at the places for which they are respectively appointed, and may be removed or discharged from service at any time by the Mayor, without assigning any cause therefor.

City Marshal—Duties—Monthly Reports. § 3. The city marshal shall be the acting chief of police, and all policemen shall be in subordination to him. It shall be his duty to cause the public peace to be preserved, and to see that all laws and ordinances are enforced, and whenever any violation thereof shall come to his knowledge, or be reported to him, he shall cause the requisite complaint to be made, and see that the proper evidence is procured for a successful prosecution of the offender or offenders. He and his subordinates shall obey all such police rules as may be established for the regulation of the police department, and

shall, (in subordination to the Mayor) in case of riot, tumult or insurrection or threatening thereof, take command in person of the police officers and direct their movements and operations in discharge of their duties. He shall keep a record and make report to the City Council monthly, and also at and before the close of the fiscal year, operations of the police department in conformity with the requirements of the police rules. He shall be responsible for the efficiency general conduct and good order of his department, and shall promptly report to the Mayor, in writing, all complaints made to him or in any way coming to his knowledge, prejudicial to the honesty, sobriety and faithfulness of any of his subordinates.

It shall also be the duty of the city marshal to inspect, examine and test, at least once in each month, all weights, scales, scale beams and other instruments used for weighing for reward of all licensed weighers in the City of Rock Island, and when found correct, to deliver to the owner thereof a certificate of their accuracy. He shall report forthwith to the City Council the names of all persons whose weights, scales, scale beams and other instruments used for weighing shall be found incorrect.

Policemen—Powers and Duties—Daily Reports to Marshal—Record to be Kept by Marshal. § 4. Each member of the police department shall have power to arrest all persons in the city found in the act of violating any law or ordinance, or aiding or abetting in any such violation, or any person whom the officer has reasonable grounds for believing has committed a public offense, and who is liable to escape before a complaint can be filed, and a warrant issued for his or her arrest; and forthwith take all such persons so arrested to the office of the police magistrate or some justice of the peace for trial. They shall have power and authority in the city to serve and execute warrants and other processes for the apprehension and commitment of persons charged with, held for examination or trial for, or taken in the act of committing any crime or misdemeanor, or violat-

ing any law or ordinance of the city, in the same manner and with like authority as a constable by the laws of the state. All policemen shall daily report to the marshal all arrests made during the day or night, and all material facts relating to them; and the marshal shall keep a book, in which shall be recorded all arrests made by the police department, and the offenses for which the arrests were made.

Policemen May Enter Building by Force and Make Arrests Therein in Certain Cases. § 5. The Mayor, or marshal, deputy marshal and all police officers shall have power and authority in a peaceable manner, or if refused admittance after proper demand made, with force, to enter into any house, store, shop, grocery or other building whatever in the city, in which any person may be, or be reasonably suspected by any such officer to be, for any unlawful purpose; and if any person or persons shall be found therein guilty of any crime or misdemeanor or violation of any ordinance for the preservation of the peace and good order of the city, or who may, by such officer, be reasonably suspected thereof, or of aiding or abetting in any such offense, said police officer shall apprehend and keep in custody such person or persons, as in case of other arrests made by police officers.

Duties of Policemen—Not to Engage in Business that May Interfere, nor Absent Themselves Without Permission. § 6. The marshal, deputy marshal, and all police officers shall devote their time and attention to the discharge of the duties of their respective stations, according to the laws and ordinances of the city, and the provisions of such police regulations as may be established; and it shall be their duty, to the best of their ability, to preserve order, peace and quiet, and enforce all laws and ordinances throughout the city. They shall not engage in any business which may withdraw their attention from the police service, or interfere with, or unfit them for their duties required of them, and they shall not absent themselves from the city, nor from their duties, unless by the permission of the marshal or the Mayor.

Marshal to Keep an Office—Require Policemen to Report. § 7. The marshal is hereby required to keep and maintain at the expense of the city, for the purpose of his office, in some central location, easy of access, an office, or place of business, where he shall attend at all reasonable hours when not called elsewhere on duty. The marshal shall cause to be fixed in some conspicuous place upon the front of his office, a sign with the words "City Marshal's Office," legibly painted thereon. He shall require all other police officers, at such times and in such manner as he shall designate, to attend at his office or such other rendezvous as he may appoint, and shall put them upon such duty as the existing emergency may require, subject to the direction of the Mayor.

Policemen to Report and Render Assistance to Marshal. § 8. The several policemen shall report themselves for duty at the office of the marshal, or at such rendezvous as he shall appoint, at such times as directed by him, and shall render him prompt and energetic assistance in the execution of his duties, and shall devote their time and attention to the preservation of the peace, quiet and good order of the city, and especially in the respective wards and districts to which they may be assigned.

Police Guilty of Neglect of Duty, Etc.—Penalty. § 9. Any member of the police department who shall neglect or refuse to perform any duty required of him by any law or ordinance of the city, or who shall, in the discharge of his official duties, be guilty of any fraud, extortion, oppression, favoritism, partiality, or wilful wrong or injustice, or who shall enter any saloon while on duty, except in the discharge of his official duty, or who shall use any intoxicating liquors, or engage in any game of chance while on duty, shall be dismissed from his office by the Mayor.

Penalty for Resisting Officer. § 10. Whoever, in the city, shall resist any police officer or member of the police department in the discharge of his duty, or shall, in any way interfere with, or hinder or prevent him from dis-

charging his duty as such officer, or shall attempt, or endeavor so to do; and whoever shall, in any manner, assist any person in custody of any police officer, or member of the police department, to escape from such custody, shall be fined not less than five dollars, nor more than two hundred dollars, in the discretion of the court or magistrate before whom a conviction may be had.

Persons Must Assist Police When Called On. § 11. It shall be the duty of all persons in the city, when called upon by any member of the police department, or other police officer, to promptly aid and assist him in the execution of the duties of his office; whoever shall neglect or refuse to give such aid and assistance shall be fined not less than five dollars, nor more than one hundred dollars.

Falsely Representing Police—Penalty. § 12. Any person who shall falsely represent himself to be a member of the police department of this city, or who shall maliciously, or with the intent to deceive, use, or imitate any of the signs, signals or devices adopted and used by them, shall, on conviction thereof, be fined not less than five dollars, nor more than one hundred dollars.

Hackmen, Etc., to Obey Policemen at Depot, Etc. § 13. Hackmen, coachmen, omnibus drivers, draymen, porters, runners and other persons, when at, or about any railroad depot or station, or steamboat landing, or other public place in the city; shall obey the commands of the police officer or officers who may be stationed or doing duty at or about such depots, stations or buildings, or other place, for the preservation of order and enforcement of the ordinances of the city. Whoever shall refuse to obey the commands and directions of a police officer, as aforesaid, shall, on conviction of such offense, be fined not less than five dollars, nor more than one hundred dollars.

Blacklisting Habitual Drunkards. § 14. That any person making complaint to the Chief of Police of some other person being guilty of habitual drunkenness shall furnish

the Chief of Police with a photograph of such habitual drunkard. It shall be the duty of the Chief of Police to send a notice to each saloon keeper of the city of Rock Island, stating the name, age, residence and general description, with a copy of photograph of such habitual drunkard, providing that Chief of Police is furnished with a copy of photograph.

CHAPTER 46

POPCORN AND PEANUT STANDS.

- § 1. License.
- 2. Penalty.

License. § 1. That it shall be unlawful for any person, firm or corporation to own, manage or control any building or stand where popcorn and peanuts are sold, located wholly or in part upon any street, avenue or alley in the city of Rock Island, without first having secured therefor a license signed by the Mayor and City Clerk.

The Mayor and City Clerk are hereby empowered and authorized to grant such license upon the payment as a license fee on or before the 1st day of May of each year for the term of one year the sum of twenty-five (\$25.00) dollars, and for the term of six months the sum of fifteen (\$15.00) dollars, to be paid on or before the 1st day of May or the 1st day of November.

Penalty. § 2. Every violation of this ordinance shall subject the offender to a fine of not less than five (\$5.00) dollars, and not more than twenty-five (\$25.00) dollars. This ordinance shall be of full force and effect from and after the time of its passage.

CHAPTER 47

RAILROADS.

- § 1. Speed of trains.
- 2. Not to obstruct streets—exceptions.
- 3. Bell to be rung.
- 4. Use of whistle.
- 5. Escape of steam prohibited—proviso.
- 6. Engineers and conductors to have copy hereof.
- 7. Gates, guards or other protection.
- 8. Penalty.
- 9. Construction under supervision of Mayor and street commissioner.
- 10. Maintaining sewers under tracks.
- 11. Railroad gates.
- 12. Penalty.

Speed of Trains. § 1. That no railroad corporation, by itself or agent, shall run any passenger train within the limits of said city, at a greater speed than ten miles per hour, nor any other train, locomotive, engine or car at a greater rate than six miles per hour.

Not to Obstruct Streets—Exception. § 2. No railroad corporation, railroad engineer, railroad conductor or other person shall obstruct any public highway in said city, by stopping any train upon, or by leaving any car or locomotive engine standing on its tracks, where the same intersects or crosses such public highway, except for the purpose of receiving or discharging passengers, or to receive the necessary fuel and water and in no case to exceed ten minutes for each train, car or locomotive engine, except that at the intersections of First avenue with Seventeenth, Eighteenth and Nineteenth streets, a period of occupation of two minutes only shall be allowed.

Bell to be Rung. § 3. The bell of each locomotive shall be rung continually while such locomotive is running within said city.

Use of Whistle. § 4. No railroad corporation, by itself or agent, shall cause or allow the whistle on any locomotive engine to be sounded within the city, except necessary

brake signals, and such as may be necessary to prevent injury to persons or property.

Escape of Steam Prohibited—Proviso. § 5. No railroad corporation shall, by itself or agent, cause or allow the cylinder cock or cocks of any or either of their locomotive engines to be opened so as to permit steam to escape therefrom at any time while running upon or along any railroad track laid in any street of said city, or when the engine is in immediate proximity to any street or railroad crossing in said city. Provided, however, that when such engine shall be standing at such point in said city, and for three revolutions of the driving wheel after being put in motion, the said cocks may be opened for the purpose of allowing condensed steam to escape.

Engineers and Conductors to Have Copy Hereof. § 6. Each superintendent of any railroad shall furnish each engineer and train conductor of any railroad running within this city, a copy of this chapter; and shall, moreover, furnish to any officer of said city, applying therefor, the name of any person in the employment of said railroad company, who shall have been charged with having violated any of the provisions of this chapter.

Gates, Guards or Other Protection. § 7. Whenever, on any street crossed by the track or tracks of any railroad company or companies, the City Council shall deem it necessary to require said railroad company or companies to provide protection against injury to persons and property at such crossing by the erection and maintenance of gates, guards or other protection, or the construction of a viaduct, said City Council may, by resolution, so declare and direct that any such railroad company shall, within a certain time, to be fixed by the Mayor, erect, construct and maintain a sufficient safeguard at such crossing, specifying the kind of protection to be erected, constructed and maintained as aforesaid, whether it be a gate or gates, or viaduct, or other efficient protection; and it shall be the duty of

the city marshal or any other police officer to be designated by the Mayor, to serve upon the said railroad company or companies named in said resolution a certified copy thereof, within thirty days after the passage of said resolution, and at the same time to notify the said railroad company or companies, in writing, of the time fixed by the Mayor, within which the protection so ordered shall be constructed.

Penalty. § 8. Whenever any railroad company or companies shall have been directed by the City Council to erect, construct and maintain at any street crossed by its or their track or tracks, any gate or gates, viaduct or other protection as provided in the last preceding section, every such company shall within the time prescribed by the Mayor erect, construct and thereafter maintain the protection specified in said resolution, under the penalty of two hundred dollars for every offense, and for each and every ten days after the expiration of the time so fixed for the construction of such protection, any such company or companies shall refuse or neglect to proceed to the erection and construction of the kind of protection specified in such resolution, shall constitute a new and distinct offense.

Construction Under Supervision of Mayor and Street Commissioner—Maintenance. § 9. Every such gate, guard, viaduct and the approaches thereto, or other protection, when so ordered as aforesaid, shall be erected and constructed at the sole cost and expense of said railroad company or companies, under the supervision of the Mayor, the street and alley committee of the City Council and street commissioner, and the same shall forever thereafter be kept and maintained by such railroad company or companies in proper repair and condition, at its own cost and expense and without expense or cost to the City of Rock Island, under the supervision of the street commissioner and to his satisfaction.

Maintaining Sewers Under Tracks. § 10. No railroad company, operating within the limits of the city of

Rock Island, shall, in the construction of its road bed, or the maintenance of its line or lines of railway, hinder or obstruct any water way, sewer or gutter, but shall provide, in accordance with specifications approved by the City Council, construct and maintain sufficient sluice-ways, extensions of sewers or gutters, under its tracks and right of way at its own expense; and if said company fails so to do, the city shall construct the same at the expense of the said company.

Railroad Gates. § 11. That it shall be the duty of each railway company using or operating trains over the railroad tracks along Fifth and Fifth and One-Half avenue from Forty-second street to Forty-sixth street in the City of Rock Island, to provide gates or guards at each and every street crossing between said Forty-second street and Forty-sixth street in the City of Rock Island, inclusive.

Said gates or guards shall be in use from 6:30 o'clock a. m. to 6:30 o'clock p. m. in each day in each year, except Sundays;

And that the Chicago, Rock Island and Pacific Railway Company, The Chicago, Burlington and Quincy Railway Company, The Chicago, Milwaukee and St. Paul Railroad Company, Rock Island and Peoria Railway Company, and Davenport, Rock Island and Northwestern Railway Company be and are hereby required to place and retain flagmen at the railroad crossing near the intersection of Twelfth street and First avenue in the City of Rock Island, from the 1st of April to the 1st of November of each year, and from ten o'clock a. m. to ten o'clock p. m. of each day during said time.

It shall be the duty of the flagmen stationed at said railroad crossing to give warning of approaching train to all persons coming toward the crossing.

Penalty. § 12. Any railroad corporation, who shall, of themselves, or by any agent or employe, violate or fail to observe any of the foregoing provisions of this chapter, or by any agent or employe of any railroad corporation or

other person who shall violate or fail to observe the same, shall for each violation or failure to observe the same, where no other penalty is imposed to be fined in the sum of not less than five dollars, nor exceeding one hundred dollars for each offense.

CHAPTER 48

RUNNERS.

- § 1. Runner to have license.
- 2. Term and price of license.
- 3. Not to use deceit nor create disturbance—to obey police—to wear badge.
- 4. Penalty for violation hereof.

Runner to Have License. § 1. No person shall act as a runner for any railroad company, steamboat company, depot, hotel, public house or other thing or person, without first having obtained a license for that purpose, under a penalty of ten (\$10) dollars.

Term and Price of License. § 2. License for said purpose may be granted for the term of the municipal year or any unexpired portion thereof, upon the payment by the applicant of the sum of ten (\$10) dollars, when a license is issued in the first half of the municipal year, and upon the payment by the applicant of the sum of five (\$5) dollars, when such license is issued within the last half of the municipal year.

Not to Use Deceit, nor Create Disturbance—To Obey Police—To Wear Badge. § 3. No runner shall make or use any deceit in position or false representation in relation to any railroad, steamboat, depot, hotel, public house, or other thing or person, for the purpose of procuring business, or make any unusual noise or disturbance, or use any profane, obscene, or boisterous language, or do any act calculated to disturb the peace, or vex, harass or disturb any citizen or stranger; he shall obey the commands of any

police officer while on duty, for the preservation of order and enforcing the ordinances of the city. He shall, when on duty wear conspicuously in front of his hat, cap, or breast a badge with the name of the company, house, thing or person for whom he is acting, plainly painted or engraved thereon.

Penalty for Violation Hereof. § 4. Any person who shall violate any of the provisions of this article shall be subject to a fine not to exceed one hundred (\$100) dollars, and also to a forfeiture of his license, if he has one, in the discretion of the court or the Mayor.

CHAPTER 49

SALARIES.

- § 1. Compensation.
- 2. Mayor.
- 3. Aldermen.
- 4. City Clerk.
- 5. City Attorney.
- 6. City Treasurer.
- 7. City marshal and policemen.
- 8. City superintendent of streets.
- 9. City superintendent of water works, assistant engineers and employes.
- 10. Commissioner of health.
- 11. City bridge tender.
- 12. City weigher.
- 13. Chief of the fire department, assistant chief, captains and firemen.
- 14. City collector and deputy.

Compensation. § 1. The several officers and employes of said city herein named shall receive in full payment for their services as such, the following compensation, payable monthly out of the city treasury:

Mayor. § 2. The Mayor shall receive a salary of twelve hundred dollars per annum.

Aldermen. § 3. Each alderman shall receive the sum

of three dollars for each meeting of the City Council which he shall attend.

City Clerk. § 4. The City Clerk shall receive for his services a salary of eighteen hundred dollars per annum, besides the compensation allowed him by law as clerk of the town board. He shall also receive the sum of six hundred dollars per annum, for keeping the books and accounts of the water works department, and collecting water rents, which sum shall include all expense for clerk hire consequent upon the increased duties of his office.

City Attorney. § 5. The City Attorney shall receive a salary of twelve hundred dollars per annum, besides a reasonable compensation for professional services required in suits and business outside of the county of Rock Island.

City Treasury. § 6. The City Treasurer shall receive a salary of three hundred dollars per annum.

City Marshal, City Detective and Policemen. § 7. The city marshal shall receive a salary of twelve hundred dollars per annum; the deputy marshal and city detective shall receive a salary of one thousand dollars per annum; the police matron shall receive a salary of six hundred dollars per annum; each policeman shall receive a salary of nine hundred dollars per annum.

Superintendent of Streets and Employes of Street Department. § 8. The City Superintendent of Streets shall receive a salary of twelve hundred dollars per annum; the assistant superintendent of streets shall receive the sum of two dollars and seventy-five cents per day; the day laborers shall receive the sum of one dollar and ten cents per day; the barn boss shall receive the sum of sixty dollars per month. That all teams hired by the City Street Department shall receive the sum of four dollars and twenty cents per day. That all men employed as garbage men shall receive the sum of fifty-five dollars per month, each, eight hours to constitute a days work in the City Street Department of the City of Rock Island, Illinois.

City Weigher. § 12. The city weigher, in charge of the city scales on Market Square (17th street) shall receive as compensation for services rendered as city weigher a sum not to exceed ten (10) cents for each load weighed, as provided for in section nine (9), chapter thirty (30), provided, however, that the said city weigher shall procure from the city clerk stamped certificates of weights, for which he shall pay to said city clerk, at the time of obtaining the same, at the rate of two dollars and fifty cents (\$2.50) a hundred, and use the same as provided for in section five (5), chapter thirty (30). He shall keep the said city scales in perfect order, and all incidental expenses in connection therewith, shall be paid by the said city weigher. He shall make a monthly report, to be placed on file in the city clerk's office on the last Friday of each month.

Chief of the Fire Department and Firemen. § 13. For salaries of the chief of the fire department and firemen, see Chapter five.

City Collector. § 14. The city collector shall receive as compensation for his services, two per cent of all moneys collected by him as such collector, and the deputy city clerk and deputy city collector shall receive for his services a salary of ten hundred and twenty (\$1,020) dollars per annum.

Superintendent, Engineer and Employees of Water Works. § 9. That section 9 of an Ordinance entitled "Salaries" shall be amended so that the same shall read as follows:

City Superintendent, Engineer and Employes of Water Works. § 9. The City Superintendent of Water Works (who shall be the chief engineer) shall receive a salary of eighteen hundred (\$1,800) dollars per annum, which shall also be in full for his services as chief engineer. The first assistant engineer of the Water Works shall receive a salary of ninety-three (\$93) dollars per month; the second and third assistant engineers of the Water Works shall receive

a salary of eighty-four (\$84) dollars per month each; the firemen at the Water Works shall each receive a salary of sixty-six (\$66) dollars per month; the employe known as the outside man at the Water Works shall receive a salary of seventy-two (\$72) dollars per month; the employe known as meter man at the Water Works shall receive a salary of seventy (\$70) dollars per month; the employe known as wagon man at the Water Works shall receive a salary of sixty-three (\$63) dollars per month; the first engineer at the Reservoir Pumping Station shall receive a salary of seventy-eight (\$78) dollars per month; the second and third engineers shall receive a salary of sixty-six (\$66) dollars per month; the employe known as valve man at the Reservoir shall receive a salary of sixty-six (\$66) dollars per month. All other persons employed at the Reservoir or Water Works as day laborers shall receive the sum of one (\$1) dollar and ten (10c) cents per day, and eight hours shall constitute a days work in all departments of the Water Works and Reservoir. The Superintendent of Water Works, having been duly appointed, shall give a good and sufficient bond in the sum of two thousand (\$2,000) dollars, the same to be conditioned upon the faithful performance of his duties as such superintendent, and to be approved by the City Council.

Commissioner of Health. § 10. The commissioner of health shall receive a salary of six hundred dollars per annum.

City Bridge Tender. § 11. The city bridge tender shall receive a salary of six hundred dollars per annum.

CHAPTER 50

SALOONS.

- § 1. Sale of intoxicating drinks may be licensed—conditions—bonds—license fee—term of license.
2. Sale without license prohibited—penalty.
3. Intoxicating liquors defined—acts to evade held as unlawful selling.
4. Wholesale dealer or keeper of public place, not to sell without license.
5. Sale to minor, intoxicated person or when forbidden—penalty.
6. License not to be issued to disreputable persons, except, etc.
7. License not to be issued to females, except, etc.
8. Licensed place not to be kept open after midnight, or election days—penalty.
9. License to be posted in place of business—penalty.
10. Druggist's permits.

Sale of Intoxicating Drinks May be Licensed—Conditions—Bonds—License Fee—Terms of License. § 1. The Mayor of said city is hereby authorized to grant a license for the sale of intoxicating, malt, vinous and fermented liquor to any person of full age and good character, who shall make application to him therefor, in writing, stating his place of business and the names of his sureties, upon compliance of such applicant with the following requirements: Such applicant shall give to the City of Rock Island a bond in the penal sum of one thousand dollars, with at least two good and sufficient sureties, who shall be residents and freeholders in the county of Rock Island, to be approved by the Mayor, and conditioned that the license shall, in all things, faithfully observe and keep all ordinances of said city which may be in force during the period of such license, or any portion of such period, regulating or relating to dram shops, saloons, or the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquors; and that he will pay to said city all fines, forfeitures, judgments, debts, damages and costs that may accrue against him for any violation or non-observance of any such ordinance or ordinances aforesaid. For the purpose of such license to be issued, the municipal year beginning on the first Monday in May each year is hereby divided into two periods as fol-

lows: From the first Monday in May to the first Monday in November, and from the first Monday in November to the first Monday in May, to be known as the first and second periods respectively, of the municipal year. The applicant for such license shall pay for the use of said city for such license as follows: For the term of one year, six hundred dollars; for the first period of the municipal year, three hundred (\$300) dollars; for the second period of the municipal year, three hundred (\$300) dollars. Every such license issued for the term of one year or for either of said first and second periods, shall be dated as of the beginning of such year, or first or second period, and shall expire with said year, or first or second period; provided, however, that in no case shall any such license extend beyond the municipal year. Such license may be issued for the full municipal year or for the periods as herein specified, upon the payment in advance of the rate aforesaid. Such applicant shall also, at the same time, execute a bond payable to the people of the State of Illinois, and conditioned as required by the statutes of this state in relation to dram shops. Upon a compliance with said requirements, a license shall be issued to such applicant which shall authorize the licensee therein named, to sell, barter, give away and deliver intoxicating, malt, vinous, mixed or fermented liquors, in any quantity, at the place designated in the license, and no other, and which place shall be the same set forth in the application. Provided, however, that the application for said license shall be accompanied by a petition signed by a majority of the property owners on both sides of the street or avenue on which it is proposed to issue a license for a saloon and within 300 feet of the front door of the premises in each direction of the lot on which the saloon is to be situated.

It is further required that every application for a license, where it may be necessary that a petition shall accompany the same, shall be filed in the office of the City Clerk of Rock Island and published in a newspaper of

general circulation printed in this city for at least ten (10) days before the said license can be issued.

This ordinance is not applicable to and is not to be construed as affecting places designated in licenses already issued, as long as the places so designated shall be used for the purpose specified in said license; but in event of any place that is now used for saloon purposes being hereafter vacated and abandoned for said use for any reason whatever and having remained so vacated, abandoned or discontinued for more than seven (7) months, it shall be necessary before the same can again be used for the purpose designated in said license, to file with their application for the same, the petition above called for.

It is further required that a two-thirds vote of all the members of this Council shall be necessary in order to amend, extend or alter any of the terms of this section. The license shall not be transferable, except as provided by chapter 16, entitled "Licenses."

Sale Without License Forbidden—Penalty. § 2. Whoever, not having a license for such purpose, shall, by himself, or another, either as principal, clerk, servant, or agent, directly or indirectly, sell, barter, or shall give away, in any public place, or for any profit or gain, or to evade any provision of this ordinance, any intoxicating, malt, vinous, mixed or fermented liquors in less quantity than one gallon, or in any quantity, to be drank upon, or about the premises, shall be fined in a sum not less than twenty dollars nor more than one hundred dollars, or imprisoned for a period not exceeding thirty days, or both, in the discretion of the court.

Intoxicating Liquors Defined—Acts to Evade Held to be as Unlawful Selling. § 3. All spirituous, malt, vinous, fermented and mixed liquors shall be deemed intoxicating liquors within the meaning of this ordinance. The giving away of any such liquor, or other shift or device to evade the provisions of this article, shall be deemed and held to be as unlawful selling and be punished as such.

Wholesale Dealer or Keeper of any Public Place Not to Sell Without License. § 4. No wholesale liquor dealer or person who shall have or keep any tavern, eating house, restaurant, coffee house, grocery, or other place of public resort, shall be permitted to sell, barter, give away, or otherwise deal in any intoxicating, malt, vinous, mixed, or fermented liquors in less quantity than one gallon, without first procuring a license for such purpose, under the provisions of this ordinance, under the penalty provided for in section two of this ordinance hereof. All such places where any such liquors are, or shall be sold, bartered, given away, or otherwise dealt in, in violation of this ordinance, shall be deemed public nuisances, and upon conviction of the keepers thereof, the place so kept, may, by the judgment of the court, be shut up and abated.

Sale to Minor, Intoxicated Person, or When Forbidden—Penalty. § 5. Whoever shall, by himself or another, either as principal, clerk, servant, or agent, directly or indirectly, sell, barter, or give any intoxicating, malt, vinous, mixed or fermented liquors to any minor without the written order of his parent, guardian or family physician, or to any person intoxicated, or who is in the habit of getting intoxicated, or to any person when forbidden to do so by written notice from the husband, wife, child, parents, guardian, employer or other person subject to be injured, in person, property, or means of support in consequence of the intoxication of such person, shall for each offense be fined not less than twenty dollars nor more than one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court.

License Not to be Issued to Disreputable person, Except Upon Recommendation. § 6. No license under this ordinance shall be granted to any person who has been convicted of gambling, keeping a disorderly house, or other misdemeanor, or immorality, made punishable by any ordinance of this city or any law of the State, except upon the written recommendation of not less than six reputable freeholders

residing in the neighborhood of the place sought to be licensed, and no license shall be granted to conduct a saloon in any place where there are wine rooms or stalls in connection therewith that have doors, screens or curtains attached thereto, which prevent a view of the interior of said wine rooms or stalls from the outside thereof. Any violation of this provision, by attaching such door, screen or curtain shall be deemed a sufficient cause to revoke the license of the one occupying said premises.

License Not to be Issued to Females Without Recommendation. § 7. No license shall be granted to females, except upon the recommendation of not less than six reputable householders, living in the immediate neighborhood of the applicant for license.

Licensed Place Not to be Kept Open After Midnight, or Election Days—Penalty. § 8. No person shall keep open any saloon, dram shop, bar room, or any place licensed under this ordinance at any time in the night time between the hours of twelve o'clock, midnight, and five o'clock a. m., nor upon election days before seven o'clock p. m., under the penalty of not less than twenty dollars nor more than one hundred dollars for each offense.

License to be Posted in Place of Business—Penalty. § 9. Every person licensed under this ordinance shall immediately cause his license to be posted, and to remain posted in some conspicuous and accessible part of the room or bar kept by him under such license. Any person who shall fail to keep his license posted as aforesaid, or who not being licensed, shall cause or permit any paper or document purporting to be a license to be or remain posted in his place of business, shall be fined in a sum not less than twenty dollars nor more than one hundred dollars.

Druggist's Permit. § 10. The Mayor of said city is hereby authorized to grant a permit for the sale of intoxicating, malt, vinous, mixed, and fermented liquors for medi-

cinal, mechanical, sacramental and chemical purposes only, to any registered pharmacist whose principal business is to sell drugs and medicines, who shall apply to him in writing therefor, upon such applicant paying to the City Clerk for the use of said city, the sum of five dollars, and executing to the city of Rock Island a bond, with at least two good and sufficient sureties, who shall be freeholders, to be approved by the Mayor, in the penal sum of one thousand dollars, conditioned that he will not sell or give away, or in any manner deal in, either by himself, clerk, agent, or other person, any intoxicating, malt, vinous, mixed or fermented liquors, except for medicinal, mechanical, sacramental and chemical purposes only, and that he will faithfully observe and keep all the ordinances of said city, relating to such liquors during the term of his permit. And, provided, such pharmacist shall not sell or give away, either by himself, clerk, agent, or other person, for medicinal purposes, except upon the written prescription of a known reputable physician. Any permit so granted may be revoked by the Mayor, whenever it appears to his satisfaction that the party to whom said permit was granted, has violated any of the conditions of his said bond. All permits shall expire on the first day of May of each year. Any person violating any of the provisions of this section shall be subject to all the penalties imposed by section 2 of this ordinance, for selling or giving away intoxicating, malt, vinous, mixed or fermented liquors without a license.

CHAPTER 51

SCAVENGERS.

- § 1. Scavengers appointed by Mayor.
2. Duties prescribed.
3. Privy vaults, etc., to be cleaned by owner on notice.
4. Owner not to permit contents to be disturbed without permission.
5. Scavengers to report to commissioner of health.
6. Penalty for violation.
7. Compensation of scavengers.

Scavengers to be Appointed. § 1. The Mayor, by and with the advice and consent of the City Council, shall, biennially, at or as soon as practicable, after the first regular meeting of the City Council, held next after the mayoralty election, appoint one or more persons, as may be deemed necessary to the City Scavenger, whose business shall be that of cleaning, emptying and removing the contents of privy vaults and cesspools within the limits of said city, who shall be commissioned and sworn, and give bond in the sum of five hundred (\$500) dollars, to be approved by the Mayor, conditioned for the faithful performance of the duties of their office, and then hold their office for two years, or until their successors are appointed and qualified. Provided, that any person who shall give a bond of five hundred (\$500) dollars shall be authorized by the Mayor to engage in the business of cleaning, emptying and removing the contents of privy vaults and cesspools within the limits of said city, subject to the same conditions as the scavenger or scavengers.

Duties Prescribed. § 2. It shall be the right and duty of the city scavenger, so appointed, when ordered by the Mayor or the commissioner of health of said city, or when requested by any owner, tenant, occupant or agent of any premises within said city, to clean, empty and remove the contents of any privy vault or cesspool situated upon such premises, and to dispose of and deposit the same in such manner and at such place or places as shall be designated

by the City Council, or the regulations of the commissioner of health of said city. Said scavenger shall, upon order or request, as aforesaid, speedily, and without unnecessary delay, proceed to comply therewith and prosecute the same with all due diligence until completed. In the performance of his duty he shall, before the removal of night soil, the contents of privy vaults and cesspools, cause the same to be disinfected and rendered inoffensive, as nearly as practicable, and shall not do or omit any act which shall cause the cleaning, emptying and removal of such contents needlessly offensive to the occupants of the premises or the neighborhood; he shall provide and use in the removal and conveyance thereof, proper vehicles, with boxes and receptacles, which shall be strong and tight, so that no part of the contents or load shall fall, leak or spill therefrom; and tightly covered, so as to prevent the same from being offensive; and no privy vault or cesspool shall be opened and the contents thereof removed between the hours of six o'clock a. m. and ten o'clock p. m., except by what is known as the odorless process; and after the removal of the contents, such privy vaults and cesspools and the same and the adjacent premises shall be left clean and in good condition.

Privy Vaults, Etc., to be Cleaned by Owner on Notice.

§ 3. Whenever, in the opinion of the commissioner of health, any privy vault or cesspool within said city is offensive and needs cleaning, he shall notify the owner, agent or occupant of the premises wherein the same is situated, to cleanse the same within a period named in said notice, and it shall be the duty of the person so notified to comply with said notice, and cause said privy vault or cesspool to be cleaned and removed by the city scavenger or person authorized by ordinance of said city to remove the same within the time mentioned in said notice; and any person so notified who shall fail to comply with said notice, shall, on conviction, be fined in a sum not less than five dollars nor more than one hundred dollars. Provided, that nothing in this section contained shall discharge the owner, agent or occupant of the

premises from any liability to pay all the expense of such cleaning, or other liability.

Owner Not to Permit Contracts to be Disturbed Without Permission. § 4. No owner, tenant, occupant or agent of any premises in this city shall cause or permit any part of the contents of any privy vault or cesspool situated upon such premises to be disturbed, exposed or removed by himself or any other person not being a regularly appointed city scavenger, except upon the written permission of the commissioner of health of said city, and then only in such manner as he, in said permit, shall direct.

Scavengers to Report to Commissioner of Health. § 5. It shall be the duty of the city scavenger, in person, or by agent, to report at the office of the commissioner of health as often and at such times as he may direct, for notices, instructions and directions; and report to said commissioner all privy vaults and cesspools that need cleaning, and all other nuisances in said city that may come under his notice; and in general to conform to the rules, regulations and orders of the commissioner of health in the discharge of his duties.

Penalty for Violation Hereof. § 6. Any person without license, as aforesaid, who shall, within said city, engage in business as a scavenger, or who shall undertake to remove any contents of any privy vault or cesspool in said city, without license or permit as aforesaid, shall, on conviction thereof, pay a fine of not less than five dollars, nor more than one hundred dollars for each offense; and any city scavenger, appointed as aforesaid, or any owner, tenant, occupant or agent as aforesaid, acting under permit as aforesaid, or other person, who shall violate, disobey or fail to observe or comply with any of the provisions, requirements or regulations in this chapter contained, shall, upon conviction, be subject to a fine of not less than five dollars, nor more than one hundred dollars.

Compensation of Scavengers. § 7. Said scavengers

shall be allowed to charge and receive, for cleaning, emptying and removing the contents of any privy vault or cesspool, ten cents for each cubic foot of such contents taken and removed therefrom; the number of cubic feet to be ascertained by actual measurement of such privy vault or cesspool. They shall be entitled to demand and receive payment in advance, except when the services are performed under the order of the Mayor or commissioner of health. When, after payment and measurement, as aforesaid, it shall be ascertained that any scavenger has been overpaid, he shall refund all excess over his legal fees.

CHAPTER 52

SEWERAGE.

ARTICLE 1. PUBLIC SEWERS.

- § 1. Sewerage districts.
- 2. Principal sewer in district number one.
- 3. All sewers in district number two to lead northwardly to river.
- 4. Location and grade of main and lateral sewers to be ascertained.
- 5. All drainage to be constructed with reference to the general system of sewerage.
- 6. Sewerage fund tax.

ARTICLE II. PRIVATE SEWERS.

- § 1. Builder to file statement of cost.
- 2. No person to connect without first paying equitable proportion of cost.

ARTICLE III. CONNECTIONS.

- § 1. Regulating connections with public and private sewers.

ARTICLE I. PUBLIC SEWERS.

Sewerage Districts. § 1. For the purpose of establishing and maintaining a general system of sewerage throughout the entire city, and from time to time locating and constructing the same, as the City Council may deem necessary and proper to be done, the said city shall be and is hereby

divided into districts, as follows, to-wit: That portion of the city lying west of Seventeenth street extending to the northern and southern limits of the city shall be known and designated as "Sewerage District Number One," and that portion of the city lying east of said street shall be known and designated as "Sewerage District Number Two."

Principal Sewer in District Number One. § 2. There shall be and is hereby authorized and established one principal or main sewer in said sewerage district number one, located as follows, to-wit: Commencing at low water mark of the Mississippi river at the west end of Fifth avenue; thence east to the center of said Fifth avenue until it reaches the center of Seventeenth street; thence north through the center of Seventeenth street to the center of Fourth avenue; thence east through the center of Fourth avenue to the center of Eighteenth street; thence north through the center of Eighteenth street to the center of Third avenue; thence east to Twenty-fourth street, which said principal sewer, or any portion thereof, together with lateral sewers, or drains connecting with or discharging therein, shall be built of such size or sizes, form, material and at such grade as the City Council may from time to time order and direct; provided, however, the City Council may at any time hereafter order, establish and construct one or more principal or main sewers with lateral sewers or drains attached, or sewers of any kind they may deem necessary, in said district number one, at such place or places as the same may be required.

All Sewers in District Number Two to Lead Northwardly to River. § 3. All sewers or drains within sewerage district number two shall be so ordered, provided and built, as to lead in a direction from the bluffs northwardly to the Mississippi river, to be thus located and built at such time or times, and of such size, form, material and at such grade as the City Council may establish, order and direct. Provided, however, that the principal or main sewers, wherever the same may be practicable, shall be the first to be established and built.

Location and Grade of Main and Lateral Sewers to be Ascertained. § 4. The location and grade of all principal or main sewers shall be ascertained and established by the City Council before any lateral drains or sewers shall be located and built to connect with and discharge therein; the grade of all sewers, both principal and lateral in either of the sewerage districts, shall be ascertained and reported to the City Council by the City Engineer, or, in case of vacancy in that office, by any competent engineer employed for the purpose, at such time or times as the City Council may order and direct.

All Drainage to be Constructed With Reference to General System of Sewerage. § 5. All sewerage and drainage of the city by mains or lateral drains, or any other device of whatever nature or kind shall be made, established and constructed with direct reference to and in accordance with the general system of sewerage herein and hereby adopted and established.

Sewerage Fund Tax. § 6. For the purpose of establishing, constructing, providing and maintaining public sewers or drains as herein ordained, intended and provided, the City Council shall annually levy and collect a tax upon the taxable real and personal estate of this city, not to exceed one mill on the dollar, which tax shall be known as "The Sewerage Fund Tax," and shall be levied and collected at such time and in the same manner that other general taxes of the city are levied and collected; which said fund shall be kept by the City Clerk as a separate and distinct account, and shall not be used for any other purpose than that for which it is levied. Provided, however, the said fund shall be used for constructing and maintaining sewers or drains in any part of the city, in either sewerage district, as the City Council may order and direct; and provided, further, no money shall be expended or paid, either for commencing, constructing, completing or maintaining any principal or lateral sewer or drain, or any sewerage or draining device of any kind whatsoever, except such as the City

Council shall, from time to time, establish and order to be built or maintained and for which, in each and every case they shall have designated the amount and specifically appropriated moneys therefor.

ARTICLE II. PRIVATE SEWERS.

Builder to File Statement of Cost. § 1. Whenever any sewer shall be built in and through the streets and alleys of the City of Rock Island by a private sewer ordinance of the city, the contractor or builder thereof shall file in the office of the City Clerk within thirty (30) days after the completion thereof a statement under oath of the cost of construction of such sewer, together with a list of subscribers thereto and the amount paid by each person towards the cost thereof.

No Person to Connect Without First Paying Equitable Proportion of Cost. § 2. No person or persons shall be permitted to connect with any such "private sewer" heretofore built or hereafter to be built, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said City Clerk to be divided between said city and the subscribers thereto in proportion to the amount originally paid by them respectively for the construction thereof, under a penalty of five dollars, and a further penalty of ten dollars for each and every day he shall maintain such connection after said conviction.

Private Sewer Property of City. § 3. Any private sewer laid or constructed by authority of a private sewer ordinance and in accordance with the terms of this article, shall, on completion, be and become the property of the City of Rock Island, to be used by said city as a public sewer, subject, however, to the conditions imposed in section 2, of this article.

Expense of Publication of Ordinance. § 4. Every ap-

plication for permission to construct a private sewer shall be accompanied by a sum of money sufficient to defray the expense of the publication of the ordinance therefor, after its passage, if such publication be required by law.

ARTICLE III. REGULATING CONNECTIONS WITH
PUBLIC AND PRIVATE SEWERS.

§ 1. No person shall construct, cause or permit to be constructed, any private drain or sewer, leading into any city sewer or drain, or leading into any sewer or drain laid in any street, alley or public ground, or leading into any sewer or drain from which matter may pass directly or indirectly into any city sewer or any sewer or drain laid in any street, alley or public ground, without a special permit from the City Council.

§ 2. No such permit shall be granted except upon application accompanied by a plan of construction approved by the plumbing inspector. In the construction of such drain or sewer no variation shall be made from the plan presented with the application for permit approved by the plumbing inspector, without the approval of the plumbing inspector of the change proposed and a further permit from the Council.

The construction of such drain or sewer shall be made under the supervision of the plumbing inspector, and no ditch shall be filled without the consent of the plumbing inspector, and after his inspection and approval of the work.

§ 3. When any application shall be made for a permit for the construction of any such private drain or sewer, and the connections proposed shall be through any sewer or drain owned by or constructed at the voluntary expense of any private person or corporation, the permit shall only be granted with the consent of such person or corporation, or upon condition that such compensation shall be paid such person or corporation as shall be stipulated in the permit.

§ 4. Nor shall any such permit be granted to connect any premises with any sewer built, either wholly or in part,

by special assessment or taxation; where such premises were not assessed for the construction of such sewer, or to connect with any public sewer built by the city by general taxation; except after application made to the City Council and approved by the Council, and the payment, to the City Clerk, of the sum of fifteen (\$15) dollars, where the property so to be connected, has a frontage of fifty (50) feet or less, and ten (\$10) dollars additional for each twenty-five feet, or major fraction thereof, in excess of fifty.

§ 5. Any person who shall in any manner violate any of the provisions of the foregoing sections of this ordinance shall be subject to a penalty of not less than ten (\$10) dollars for each offense, and to a like penalty for each day such offender shall continue thereafter to use such sewer, and shall also be subject to the payment of all damages caused by such violation.

CHAPTER 53

SHOE SHINING STANDS.

- § 1. License.
- 2. Penalty.

License. § 1. That it shall be unlawful for any person to own, manage, operate or control any shoe shining stand in any street, avenue or alley in the said city without first having secured a license therefor in the following manner:

Every applicant shall deposit with the City Clerk the license fee on the first day of May in each year.

The amount of the license shall be twenty-five (\$25) dollars per year. The said license shall be granted by the City Council and may be revoked at any time by said council.

Penalty. § 2. Every violation of this ordinance shall subject the offender to a fine of not less than one (\$1) dollar and not more than two hundred (\$200) dollars.

CHAPTER 54

SIDEWALKS.

I. CONSTRUCTION.

- § 1. Width for sidewalks—exception.
- 2. Location of gutters, shade trees.
- 3. Sidewalks—how and of what to be constructed.
- 4. Sidewalks to be of permanent material—not to be taken for private use.
- 5. To be laid at grade—grading to be done by city—elevation of sidewalk.
- 6. Ordinance for construction of—what to contain—proceedings to be in conformity with the general law.
- 7. Areas under sidewalks not to be made or occupied without permit—conditions.
- 8. Construction of vaults, etc., under the sidewalks under the supervision of street superintendent—opening in walk to be covered, etc.
- 9. Injury to sidewalk to be repaired at once.
- 10. Hitching posts to be fixed—awnings.
- 11. Duty of officers to notify owners and authorities of violation and defects.
- 12. Penalty for violation.

II. OBSTRUCTION.

- § 1. Stoops, platforms, railings, cellar doors—penalty.
- 2. Windows, signs, show case, steps—penalty.
- 3. Porches, signs, awnings—penalty.
- 4. Goods, barrels, boxes or other articles—penalty.
- 5. Goods in front of stores—hitching posts.
- 6. Horses, vehicles, hand carts forbidden on sidewalks—penalty.
- 7. Cross walks to be kept free of obstruction—penalty.
- 8. Sidewalks to be kept free from snow and ice.
- 9. Sidewalks to be kept free—officers to cause obstruction to be removed.
- 10. No painting, etc., on sidewalks.
- 11. Penalty.

I. CONSTRUCTION.

Widths for Sidewalks and Shade Trees. § 1. There shall be set off for sidewalk and shade tree purposes, on each side of every street, the following widths: On all streets of 80 feet and upward, 14 feet in width; on all streets of 60 feet in width and upwards, and less than 80 feet in width, 12 feet in width; and on all streets less than 60 feet in width, 10 feet in width, except the roadway or part of the avenue between the curb lines on Fifth avenue from the

east city limits of the City of Rock Island to the viaduct or under crossing of the C., B. & Q. R. R. and the C., R. I. & P. R. R. on said avenue, which shall be of the width as follows: From said city limits to the west side of Forty-second street, 42 feet, with a uniform decrease in width from said west side of Forty-second street to a width of 35 feet at a line made by the extension of the east side of said viaduct or under crossing, north. The central line of said roadway to be the center of said avenue, so far as is practicable. The balance of said avenue outside of said roadway, on each side of the same, to be used for sidewalks and shade trees.

Location of Gutters—Shade Trees. § 2. All gutters hereafter made, shall be located on the lines between that part of the street devoted to vehicle travel, and that part set off for sidewalk purposes, and all shade trees hereafter planted, shall be placed on each street on that part set off for sidewalk purposes, and immediately adjoining that part of the street devoted to vehicle travel.

Sidewalks—How and of What to be Constructed. § 3. All sidewalks, other than reinforced concrete sidewalks, hereafter constructed in said city upon any public streets, shall be cement walks and laid in accordance with the following specifications: The sub grade of the walk shall be twelve (12) inches below the established grade of the sidewalk. Upon the surface of said sub grade shall be placed a sufficient amount of good, clean cinders, free from all vegetable substance, or clean river sand, so that after the cinders, or sand, have been thoroughly rammed with an iron rammer of not less than thirty (30) pounds weight, the same shall be smooth on top with a uniform thickness or depth of seven (7) inches. During the ramming of said cinders, or sand, above provided for, such cinders or sand to be well wet and sprinkled.

Upon the cinders or sand thus provided for shall be put four and one-half ($4\frac{1}{2}$) inches of concrete, composed of clean, hard limestone and cement of the proportions of five

(5) of stone and two (2) of sand to one (1) of cement by weight, the stone to be of such size as will well fill all voids, and to be well mixed with cement before water is added, and no more water to be put in than is necessary for good mixture, provided that no stone shall be used that is larger than will pass through a one and one-half ($1\frac{1}{2}$) inch ring.

Upon the concrete above provided for there shall be one and one-half ($1\frac{1}{2}$) inch wearing surface, composed of fine, clean, hard limestone or sand and cement of the proportion of one of stone or sand to one of cement, to be put on while the former layer of cement is still new and before final set, and to be well trowled, smooth and true, with no fissures.

At each five (5) feet of the walk a cut joint shall be made through the concrete. In finishing of top one-half ($\frac{1}{2}$) inch, said joints are to be straight and true and to coincide with the lower four and one-half ($4\frac{1}{2}$) inches, to be one-half ($\frac{1}{2}$) inch deep, and their sides to be finished with a one-quarter ($\frac{1}{4}$) inch radius groover.

The sides of said walks to be straight and true, with the corners finished to a one-half ($\frac{1}{2}$) inch radius. All cement used in the above work to be of any American Portland cement up to the American Standard of Portland cement specifications. All such walks shall be constructed in accordance with this section and under the supervision and direction of the city engineer.

Sidewalks to be of Permanent Material—Not to be Taken for Private Use. § 4. All sidewalks within the fire limits shall be built of stone or other incombustible material, and shall be paved the whole width from the lot line to the curbing, as established, unless otherwise ordered in the ordinance providing therefor. And no part of any sidewalk shall be taken for private use by lowering or raising the same next to the buliding or lot line, or by railing off the same by any iron or other railing, or otherwise shutting off the public from using the same, but said sidewalk shall be

built flush up to the building or lot line on a uniform grade as herein provided.

To be Laid at Grade—Grading to be Done by City—Elevation of Sidewalk. § 5. All sidewalks shall be laid at the proper established grade. All cutting, filling and grading, preparatory to the putting down of sidewalks, shall be done by the city; all sidewalks shall be constructed so that the outer edge shall be upon a level with the grade of the center of the street, and so as to incline upwards from the outer edge of the sidewalk towards the buildings, or boundary of the lot, at the rate of one inch in three feet; the gutters shall be constructed ten inches, or as near to that as practicable, below the crown of the street, and all sidewalks shall be constructed and laid under the supervision and approval of the Mayor and the street and alley committee.

Ordinance for Construction of—What to Contain—Proceedings to be in Conformity with the General Laws. § 6. Whenever the City Council shall desire to cause any sidewalk or sidewalks to be constructed on any street within said city, they shall pass an ordinance for such purpose, specifying therein the class, character, description and locality of such improvement, and also providing the way and manner in which the costs and expenses thereof shall be levied, assessed, collected and paid, whether by general taxation, by special taxation of contiguous property, or by special assessment, or all, or any one or more of said ways, or otherwise; which ordinance and all proceedings for such purpose shall be in conformity with the general laws of this state applicable thereto.

Areas Under Sidewalks not to be Made or Occupied Without Permit—Conditions. § 7. No person shall be allowed to occupy or use for vaults, areas or other purposes, the space beneath the sidewalks or included within the sidewalk lines of any street in said city, unless a permit therefor shall have first been obtained from the City Council; such permits to continue and to be issued only upon the condition that the party receiving the same shall, as a compensation

for the privileges granted by said permit, build, maintain and keep in repair a sidewalk over the space intended to be used for vaults, areas or other purposes; such sidewalks to be constructed of the material and in the manner described in such permit. Such permits shall specify in general terms the purposes for which the spaces under the sidewalks or sidewalk limits shall be used, and shall also contain a condition that upon the failure to construct, maintain or repair such sidewalk in accordance with any order that may, from time to time be made by the City Council, or the city superintendent of streets, the permit may be revoked and annulled by the City Council, and that from the time such permit shall be revoked and annulled, all right and privileges under the same shall cease and be of no effect.

Construction of Vaults Under the Walks Subject to Supervision of Street Superintendent—Opening in Walk to be Covered, Etc. § 8. The construction of all vaults and coal holes under the walks shall be subject to the direction and supervision of the superintendent of streets, or such other officer as may be designated by the City Council, and every aperture or opening in any sidewalk over any vault or coal hole, shall be covered with a substantial iron grate or plate, with a rough surface, to prevent accidents, and no person shall construct or insecurely fix any grate or cover of any coal hole or other aperture in any sidewalk, or remove the same, except for the proper purpose of such coal hole or aperture. And no person shall insert any smooth piece of glass or metal in any sidewalk, and no person shall place or store any dangerous or explosive material whatever in any vault or under any sidewalk in said city.

Injury to Sidewalk to be Repaired at Once. § 9. If any cartman or other person shall break or otherwise injure any tile, brick, plank, or any part of any sidewalk, foot-path or curb-stone, he or she shall within twenty-four hours thereafter cause the same to be well and sufficiently repaired and mended, and no person shall break, injure or remove any brick, tile, stone or plank, or any part or portion of any

walks in said city, except for the purpose of replacing the same with new material, under the direction of the superintendent of streets and in accordance with the provisions of this ordinance.

Hitching Posts to be Fixed—Awnings. § 10. The owners of each building in front of which a sidewalk is now or may hereafter be constructed, may fix in the edge of the space allowed for such sidewalk, next to the curbing, a suitable iron post with ring or other proper device attached for fastening horses; such posts shall be securely fixed, and such owners may provide one post for each twenty feet of frontage. No wooden post or rail shall hereafter be erected for any purpose within the fire limits of this city, and no awning or porch shall be supported by posts or in any manner other than by being firmly attached to the building. All awning or porch posts heretofore erected on any street within the fire limits contrary to the provisions of this section shall be removed at once after notice to do so from the city marshal.

Duty of Officers to Notify Owners and Authorities of Violation and Defects. § 11. It is hereby made the duty of the superintendent of streets, city marshal, and all police officers of this city, whenever any violation of any of the provisions of this or any other ordinance of this city is found to exist or to have occurred, to forthwith notify the party or parties causing, permitting or suffering such violation to occur or continue, to remove, repair or abate, or cease such violation, and such superintendent, marshal, or other police officer, shall give any notice required by the ordinance, or shall notify the owner or occupant of any premises to remove, repair or abate any nuisance, or violation of any of the provisions of this or any other ordinance, whenever so directed by the Mayor or any city councilman. It shall be the duty of all policemen to report to the city engineer or street superintendent all defects in sidewalks, and in case of accident, they shall report the same to the City Attorney and Council, together with the names of any witnesses to said accident, if known to them.

Penalty for Violation. § 12. Any person who shall violate, disobey, omit, neglect or refuse to comply with, or conform to any of the provisions in this article contained, shall be subject to a fine of not less than ten dollars for each offense, and a like fine for every day such violation, omission, neglect or refusal shall continue.

II. OBSTRUCTION.

Stoops, Platforms, Railings, Cellar Doors — Penalty.

§ 1. No stoop, porch, platform, railing, cellar door or steps shall be allowed to extend from any building or lot, into or upon any sidewalk more than two feet, where the sidewalk is twelve feet or less in width, nor exceeding three feet where the sidewalk is upwards of twelve feet in width; nor shall any cellar door rise or project above the surface of the sidewalks, under a penalty of not less than three dollars for each offense, to every person violating any provisions of this section, and a like penalty for every day such violation shall continue after notice or order to remove the same.

Windows, Signs, Show Case, Steps—Penalty. § 2. No bow window or other window shall extend into, upon or over any sidewalk, nor shall any sign, except as provided in the next section hereof, nor shall any show bill, show case or other thing be placed upon or project over the sidewalks in front of, or from the wall of any building, nor shall any steps be hereafter constructed or placed upon or over any sidewalk, street or other public way. Every person violating any provision of this section shall be subject to a penalty of not less than three dollars for each offense, and a like penalty for every day such violation shall continue after notice or order to remove the same.

Porches, Signs, Windows, Awnings — Penalty. § 3. No bow window or other window, sign, porch or awning shall be erected or placed, or if heretofore erected or placed, shall be permitted to remain in, upon or over any sidewalk, unless the same be elevated at least eight feet at the lowest part thereof, above the top of the sidewalk, under a penalty

of not less than three dollars for each offense, and a like penalty for every day the same shall be allowed to remain after notice or order to the owner or occupant of the premises or other proper person to remove the same.

Goods, Barrels, Boxes or Other Articles—Penalty. § 4. No person shall place upon or suspend over any sidewalk any goods or merchandise, or cause or permit the same to be done, except as provided in the next section; or place or deposit on any sidewalk, or cause or permit the same to be done, any cask, barrel, wood, stone, plank, board, salt, or any other article or thing whatsoever, under a penalty of not less than two dollars for each offense, and a like penalty for each and every hour the same shall remain after notice or order to remove the same.

Goods in Front of Stores—Hitching Posts. § 5. It shall be lawful for any person to place, hang or set out for sale any goods or merchandise on or over the sidewalks in front of and within two and one-half feet of his store or building; it shall also be lawful for any person to place for a period of not exceeding one hour, on four feet of the outer edge of the sidewalk in front of his store or building any goods or merchandise. It shall also be lawful for any person to erect in front of his building one, and not to exceed two posts for the purpose of hitching horses. Provided, such posts shall not be more than six inches in diameter, and not to exceed four feet in height, and placed on a line with the outer edge of the sidewalk.

Horses, Vehicles, Hand Carts Forbidden on Sidewalks—Penalty. § 6. No person shall ride, drive or place any horse or other beast of burden, or any vehicle upon any sidewalk, or propel, haul or carry thereon any hand cart, under a penalty of not less than one dollar nor more than ten dollars for each offense; nor shall any person at any time fasten any horse or horses in such a way that the horse, vehicle, reins or lines shall be an obstacle to the free use of any sidewalk, under the penalty of not less than two dollars for each offense; and the person in whose possession or use

such team shall then be, shall be deemed the offender, unless he shall prove to the contrary before the magistrate before whom he may be prosecuted.

Cross Walks to be Kept Free of Obstructions—Penalty.

§ 7. All cross walks, foot ways and crossings at or near the intersection of any street, lane, avenue or alley shall at all times be kept and reserved free from any sleighs, carts, drays, wagons or carriages, and horses or other animals being placed or suffered to stand thereon, except so far as may be necessary in crossing the same; and the owner or driver of any sleigh, cart, dray, wagon or other carriage or horse or other animal offending herein shall forfeit and pay a penalty of not less than one dollar for each offense.

Sidewalks to be Kept Free from Snow and Ice. § 8.

Every owner or occupant of any house or other building, and the owner, proprietor, lessee or person entitled to the possession of any vacant lot, and every person having the charge of any church, jail, public building or public hall in this city, which shall front or adjoin upon any public street, shall, during the winter season, and during the time snow shall continue on the ground, by twelve o'clock noon of each day, clear the sidewalks in front of or adjoining such house or other building and in front of such lot from snow and ice, and keep them conveniently free therefrom during the day; or shall, in case the snow and ice are so congealed that they cannot be removed without injury to the pavement, cause the said snow and ice to be strewed with ashes or sand; and shall, also, at all times keep such sidewalks free from dirt, filth or other obstructions or incumbrances, so as to allow citizens to use the said sidewalks in a safe and commodious manner; and every person neglecting or refusing to comply with any of the provisions of this section, shall incur a penalty of not less than two dollars for each neglect or refusal.

Sidewalks to be Kept Free—Officers to Cause Obstructions to be Removed. § 9. All sidewalks within the city shall, at all times, be kept open and free from all obstructions, barriers and impediments of every description, except

such as are expressly permitted and allowed by this or other ordinances of the city in relation thereto; and the Mayor, marshal and superintendent of streets within his district, or any alderman within his ward, is hereby authorized to order any article or thing whatsoever, which may encumber or obstruct any sidewalk, to be removed; and if such article or thing shall not be removed within two hours after the notice to the owner or occupant of the premises fronting on such sidewalk to remove the same, or if the owner cannot be readily found for the purpose of such notice, then without notice, to cause any such article or thing to be removed to some suitable place to be designated by the officer ordering such removal, and the owner of any article so removed, or if it be unknown to the officer, the owner or occupant of the premises fronting on the sidewalk from which the article is removed, shall pay the costs of such removal. The order herein mentioned may be either verbal, written or printed and may be served by any of the officers herein above named.

No Painting, Etc., on Sidewalks—Penalty. § 10. No person shall paint, paste, post, print or nail any handbill, or sign, poster, advertisement or notice of any kind, or any other matter or thing whatever on, nor in any manner whatever deface any curb stone, or any part or portion of any sidewalk, or any tree, lamp post, hitching post, telegraph pole, electric light pole, hydrant, public building or any other thing, or any private wall, door, building, gate or fence (without the consent in writing of the owner of said wall, door, building, gate or fence) under a penalty of five (\$5) dollars for each and every offense.

Penalty for Violation Hereof. § 11. Any person violating section six of this ordinance shall, upon conviction, be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense.

CHAPTER 55

STREETS.

I. STREET NAMES.

- § 1. Names of streets.
- 2. Names of avenues.
- 3. Street names to be affixed at corners.
- 4. Houses fronting on streets, etc., to be numbered—how.
- 5. Maps and records of numbers to be made and filed in the City Clerks office.
- 6. Notice to be given when record is filed, and owners to number their buildings in 30 days.

II. STREET NUMBERS.

- § 7. Numbers—how to be affixed.
- 8. Owner or occupant to number building—penalty for neglect.
- 9. Buildings hereafter erected to be numbered—penalty for neglect.

III. REGULATIONS AND CONTROL OF STREETS, ETC.

- §10. To make excavations, etc., forbidden, except as provided.
- 11. Application for permit—what to contain.
- 12. Clerk to issue permit.
- 13. Application for permit to occupy portion of street—what to contain.
- 14. Permit to be issued by Mayor.
- 15. Penalty for non-compliance with conditions of permit—permit to be revoked.
- 16. Special permit of City Council required for laying pipes in improved streets—conditions.
- 17. Laying of lead water pipes to be included in improvement of streets—costs thereof—provisos.
- 18. Curbing—where to be set—how to be constructed.
- 19. All permanent improvements to be made by special taxation or special assessments.
- 20. Streets to be kept free from weeds and grass.
- 21. Excavating—restoring street.
- 22. Poles for street lighting.

IV. RULES OF THE ROAD.

- §23. Careful driving.
- 24. Meeting and passing street cars.
- 25. Rules.
- 26. Lights on automobiles.
- 27. Definition of vehicle.
- 28. Penalty.

I. STREET NAMES.

Names of Streets. § 1. The names of the streets of said city, hereinafter mentioned, running north and south,

be and are hereby changed and in lieu of their present names, said streets shall be and hereby are designated and named as follows, to-wit:

Pike—First. The name of Pike street is hereby changed to First street.

St. Clair—Second. The name of St. Clair street is hereby changed to Second street.

Monroe—Third. The name of Monroe street is hereby changed to Third street.

Carroll—Fourth. The name of Carroll street is hereby changed to Fourth street.

Huron—Fifth. The name of Huron street is hereby changed to Fifth street.

Main—Sixth. The name of Main street is hereby changed to Sixth street.

Pearl—Seventh. The name of Pearl street is hereby changed to Seventh street.

Ontario—Eighth. The name of Ontario street is hereby changed to Eighth street.

Exchange—Ninth. The name of Exchange street is hereby changed to Ninth street.

Ohio—Tenth. The name of Ohio street is hereby changed to Tenth street.

Swan—Eleventh. The name of Swan street is hereby changed to Eleventh street.

Otter—Twelfth. The name of Otter street is hereby changed to Twelfth street.

Beaver and Short—Thirteenth. The names of Beaver and Short streets are hereby changed to Thirteenth street.

Deer and Stoddard—Fourteenth. The names of Deer and Stoddard streets are hereby changed to Fourteenth street.

Cutter—Fourteenth and a Half. The name of Cutter street is hereby changed to Fourteenth and a Half street.

Elk—Fifteenth. The name of Elk street is hereby changed to Fifteenth street.

Buffalo—Sixteenth. The name of Buffalo street is hereby changed to Sixteenth street.

Eagle—Seventeenth. The name of Eagle street is hereby changed to Seventeenth street.

Washington—Eighteenth. The name of Washington street is hereby changed to Eighteenth street.

Jefferson and Cherry—Nineteenth. The names of Jefferson and Cherry streets are hereby changed to Nineteenth street.

Madison—Twentieth. The name of Madison street is hereby changed to Twentieth.

Adams—Twenty-first. The name of Adams street is hereby changed to Twenty-first street.

Dock—Twenty-second. The name of Dock street is hereby changed to Twenty-second street.

Broadway—Twenty-third. The name of Broadway street is hereby changed to Twenty-third street.

Arsenal—Twenty-fourth. The name of Arsenal street is hereby changed to Twenty-fourth street.

Davenport and Keokuk—Twenty-fifth. The names of Davenport and Keokuk streets are hereby changed to Twenty-fifth street.

Stickney and Railroad—Twenty-sixth. The names of Stickney and Railroad streets are hereby changed to Twenty-sixth street.

Howard Avenue—Twenty-seventh. The name of Howard Avenue is hereby changed to Twenty-seventh street.

Twenty-eighth street—The street in Lynde's addition,

now commonly known as Twenty-eighth street, shall be called Twenty-eighth street.

Twenty-ninth street—The street now known as Twenty-ninth street and Columbia street in Howard's addition shall be called Twenty-ninth street.

Thirtieth street—Elm street shall be called Thirtieth street.

Thirty-first street—Andrew street and Thirty-first street in South Park shall be called Thirty-first street.

Thirty-second street—Thirty-second street in South Park shall be called Thirty-second street.

Thirty-fourth street—Thirty-second street in Dodge's addition shall be called Thirty-fourth street.

Thirty-fifth street—Kimball street and Thirty-second street in Guyer's addition shall be called Thirty-fifth street.

Thirty-sixth street—Thirty-third street in Guyer's addition shall be called Thirty-sixth street.

Thirty-seventh street—Thirty-fourth street in Guyer's addition shall be called Thirty-seventh street.

Thirty-eighth street—Robbins avenue, now commonly known as Thirty-fifth street, shall be called Thirty-eighth street.

Forty-second street—Sylvan street, Walnut street and Thirty-eighth street in Edgewood Park, shall be called Forty-second street.

Forty-third street—Francis street, Linn street and Thirty-ninth street in Edgewood Park, shall be called Forty-third street.

Forty-fourth street—Sinnott street, Maple street and Fortieth street in Edgewood Park, shall be called Forty-fourth street.

Forty-fifth street—Brooks avenue and Mechanics street usually called Forty-first street, shall be called Forty-fifth street.

Forty-sixth street—The street on eastern city boundary shall be called Forty-sixth street.

● *Names of Avenues.* § 2. That the names of streets of said city hereinafter mentioned, running in the general direction of east and west, be and hereby are changed, and in lieu of their present names shall be and hereby are designated as avenues, and names as follows, to-wit:

First avenue—The name of Water or Mississippi street is hereby changed to First avenue.

Second avenue—The names of Illinois street and Water street in addition to Sinnet's addition are hereby changed to Second avenue.

Third avenue—The names of Orleans and Williams streets are changed to Third avenue.

Fourth avenue—The name of Rock River street is changed to Fourth avenue.

Fifth avenue—The names of Canal street, Highland street and Moline avenue are hereby changed to Fifth avenue.

Fifth and a Half avenue—Vine street shall be called Fifth and a Half avenue.

Sixth avenue—The names of Commercial street, Pleasant street, Green street, Cable street, Grove street and Sherman street are hereby changed to Sixth avenue.

Seventh avenue—The names of Toledo street, Spencer street and Second avenue are hereby changed to Seventh avenue.

Eighth avenue—Union street, South street, Guyer street, Eighth avenue to Edgewood Park and Barnard street in Lynde's addition shall be called Eighth avenue.

Eighth and a Half avenue—Clark street shall be called Eighth and a Half avenue.

Ninth avenue—Indian Boundary street, Prospect street, Ninth avenue in Edgewood Park and a short street in

Dodge's addition approximately in line therewith shall be called Ninth avenue.

Tenth avenue—Lee street shall be called Tenth avenue.

Eleventh avenue—Tenth avenue in Edgewood Park shall be called Eleventh avenue.

Eleventh and a Half avenue—Atkinson street shall be called Eleventh and a Half avenue.

Twelfth avenue—Eleventh avenue in Guyer's addition and Old Fourth avenue shall be called Twelfth avenue.

Thirteenth avenue—Old Fifth avenue shall be called Thirteenth avenue.

Fourteenth avenue—Twelfth avenue in South Park shall be called Fourteenth avenue.

Fifteenth avenue—Thirteenth avenue in South Park shall be called Fifteenth avenue.

Sixteenth avenue—Fourteenth avenue in South Park shall be called Sixteenth avenue.

Eighteenth avenue—Old Sixth avenue shall be called Eighteenth avenue.

Street Names to be Affixed at Corners. § 3. The names of streets and avenues as herein designated shall be painted upon slips of tin in plain letters, not less than three inches in length, and such slips shall be firmly and conspicuously affixed to the corner building of each block upon each of such streets, or upon some other conspicuous place where there is no such corner building.

Houses and Lots Fronting on Streets, Etc., to be Numbered—How. § 4. The following shall be and is hereby adopted as the plan of numbering the houses, lots and parts of lots, fronting on any street, avenue or public place of said city, to-wit: The numbering of streets running north and south shall commence at First avenue, and the numbers from one to one hundred inclusive, so far as necessary, shall be used consecutively for the distance of the first block or

fractional block, fifty numbers for each side of the street, the even numbers for the right hand or the west side of the street, and odd numbers for the left hand or east side of the street. One number shall be left for and applied to each twenty feet of distance, and in any case where a building or place of business occupies less than twenty feet a fractional number shall be used. The numbers from one hundred, and one to two hundred, inclusive, shall in like manner be used for the second block, and in like manner for succeeding blocks consecutively. The numbering of avenues running east and west shall be done in like manner, commencing at First street, even numbers being used for the right hand or south side of the avenue and odd numbers for the left hand or north side of the avenue. Each lot and part of lot fronting on any street, avenue or public place of said city, not already correctly numbered, shall be numbered in accordance with the provisions of this chapter.

Maps and Record of Street Numbers to be Made and Filed in City Clerk's Office. § 5. The committee on streets and alleys shall cause to be made and prepared the necessary maps and records to show the proper numbers to be assigned to all lots and parts of lots within said city, in accordance with the provisions of this chapter, and when completed the same shall be filed in the office of the City Clerk and shall be evidence of the respective numbers or designations as aforesaid.

Notice to be Given when Record is Filed, and Owners to Number their Buildings in Thirty Days. § 6. When the said record is completed and filed with the City Clerk, as aforesaid, he shall give notice by publication for three days in the daily newspapers of the city, and thereupon it shall be the duty of the owners or occupants of all buildings fronting on any street, avenue or public place of said city, to proceed and number their buildings, as herein required, within thirty days after such notice has been given.

II. STREET NUMBERS.

Numbers—How to be Affixed to Buildings. § 7. Each

of the figures of every number shall be not less than three inches in length, and plainly marked so as to be easily read, and be firmly and conspicuously affixed on the side of or above the front door of the buildings to which the same are attached.

Owner or Occupant to Number Building—Penalty for Neglect. § 8. Any person being the owner or occupant of any building now erected and fronting on any street, avenue or public place of said city, which is not already correctly numbered, who, after being notified as aforesaid, that the proper street numbers are of record in the City Clerk's office, shall, for thirty days, refuse or neglect to number any building or buildings owned or occupied by him or them, in conformity with the provisions of this chapter, or who shall number any such building with any number other than that designated therefor by the aforesaid record, shall be subject to a penalty of five dollars, and a further penalty of five dollars for every thirty days thereafter that he shall refuse or neglect such building, or shall maintain thereon a number other and different from that shown by the map or record filed in the City Clerk's office as the proper number of such building.

Buildings Hereafter Erected to be Numbered—Penalty for Neglect. § 9. Any owner or occupant of any such building aforesaid, hereafter erected within said city, who shall, for thirty days after the same shall be erected, refuse or neglect to number such building according to the provisions of this chapter, or who shall place or maintain thereon an improper number, according to the record filed in the City Clerk's office, shall be subject to a penalty of five dollars, and a further penalty of five dollars for every thirty days thereafter that such building shall be unnumbered with its proper number.

III. REGULATION AND CONTROL OF STREETS AND ALLEYS.

To Make Excavation Forbidden Except as Hereinafter Provided. § 10. It shall be unlawful for any company or

corporation, their agents, servants, employes or any person whomsoever, to make or cause to be made any opening, ditch or excavation whatsoever, in or upon any street, alley, lane or sidewalk within said city, for the laying of pipes or making any change or alteration in or repairs to any pipes, already laid, or for any purpose whatever, except such work shall be done in the manner hereinafter provided; and any person, corporation or company who violates the provisions hereof shall, upon conviction, forfeit and pay not exceeding one hundred dollars for each offense. (See ordinances ante. Chapter 17, § 40.)

Application for Permit—What to Contain. § 11. Any company, corporation, or person or persons desiring to lay, lower, change, repair, remove any sewer, gas, water or other pipe or pipes, or to make connections therewith, or to make any change, improvement or alteration within the right of way on any street, sidewalk or alley, shall first apply to the Mayor for a permit to enter upon such street, sidewalk or alley, and make any excavation therein, and shall in such application describe the portion of such street, sidewalk, or alley, where such work is to be done, and which is to be excavated or obstructed, and shall also give a bond conditioned that he or they will suitably guard and protect any excavation or obstruction, and defend, save, keep harmless and indemnified the said city of and from all actions, suits, costs, damages and expenses whatsoever, including attorney's fees which shall or may at any time happen to come to it for or on account of any injuries or damages received or sustained by any party or parties by or from the acts or omissions of the applicant or his or their servants or agents in doing such work; and that he or they will restore such street, sidewalk or alley to its former condition, to complete such work as speedily as possible, and when completed to notify the City Clerk of such fact, so that the superintendent of streets may see that the same has been promptly and properly restored to its former condition, by the party receiving such permit, and further conditioned that he, it or they will within thirty days from

the date of such application, pay to the City Clerk for the use of said city, the cost of refilling, repairing and replacing the surface or pavement of such street, sidewalk or alley; if said work shall be done by the city, or be necessary to so be done, the cost in all cases to be certified by the superintendent of streets, such bond with sureties to be approved by the Mayor.

Clerk to Issue Permit. § 12. Upon application being made as required in the preceding section, and the filing of such bond, the City Clerk, after having been directed by the Mayor to do so, shall issue a permit to the applicant, stating therein all the privileges thereby granted.

Application for Permit to Occupy Portion of Street—What to Contain. § 13. Any person desiring to occupy any portion of any street in the city of Rock Island, while engaged in the erection, removal or repair of any building or buildings along the line of any street, shall first file an application with the Mayor for a permit to so occupy the same; said application shall state the location of the building proposed to be erected, removed or repaired, the space in the street desired for occupation and the length of time to be occupied. Such application shall contain an obligation signed by the applicant and at least one other responsible person, to abide by the terms of the permit to be issued thereunder and to protect the city from any damage or any liability to any person or persons on account of accident or damage arising from such occupation, and to fully restore the portion of the streets so occupied to its former condition, immediately upon the expiration of the period granted in such permit. In case it is desired to move a building without taking down the same, along the line of any street or avenue, the application shall further state the height and width of said building, and the streets and avenues along which it is proposed to move the same; and where the said building is to be placed. No permit granted under this section shall be for the occupancy of more than half of the street, except in the case of the removal of a building without taking down the same.

It is further provided that hereafter no person or persons shall be allowed to move on or along the streets or avenues of the city of Rock Island, Illinois, a building or a structure of any nature, the height of which exceeds twenty-three (23) feet, including the blocking and apparatus used in so moving it, and the width of which exceeds twenty-four (24) feet, unless by special permission of the City Council.

It is further provided that before such permission can be granted to move a building, there shall first be filed with the Mayor with the application asking for such permit, the written consent of the adjoining and abutting property owners where the building is to be located.

No person, firm or corporation shall move any building or other structure along the streets, avenues or alleys of said city unless he shall have first obtained a license as a house mover, under a penalty of not less than ten (\$10) dollars, nor more than two hundred (\$200) dollars for each offense.

Any person may obtain a license as a house mover, upon the payment of a license fee of twenty-five (\$25) dollars per annum, and the execution to the city of a bond in the sum of one thousand (\$1,000) dollars, with at least two (2) good sureties, to be approved by the Mayor, conditional among other things that said party applying for such license will pay the owner or owners any and all damages which may happen to any trees, pavements, streets or sidewalks, or to any telegraph, telephone, electric light or electric street car pole or wire, within said city, whether said damage or injury shall be inflicted by said party or his agent, employes or workmen. Said mover shall cut no wires, but shall give twenty-four hours notice to the owners of the same to remove and adjust them; and shall pay such owners of the same their reasonable expense therefor, and conditioned also that said party will save and indemnify and keep harmless the City of Rock Island from all liabilities, judgments, costs

and expenses which may in any way accrue against said city in consequence of the granting of such license or any permit, and will in all things comply with the ordinances of the city and all permits granted to him.

Permit to be Issued by Mayor. § 14. Whenever such application shall have been filed as aforesaid, the Mayor shall have authority, in his discretion, to issue a permit to any of such parties applying for the same, to occupy such portions of the streets so prayed for, specifying in the permit all the privileges therein granted, with the terms and conditions of the same, and the superintendent of streets shall see that they are fully and completely complied with.

Penalty for Non-Compliance With Conditions of Permit—Permit to be Revoked. § 15. Whenever any party or parties to whom such permit may be granted shall fail, through wilfulness or neglect to perform any of the conditions or comply with any of the requirements of the same, each party so failing shall forfeit and pay not less than five nor more than fifty dollars for each offense; and the Mayor shall have authority in his discretion to revoke such permits and all privileges granted therein, and to require the removal forthwith of all material, dirt, rubbish and obstruction of any kind placed upon such street.

Special Permit of City Council Required for Laying Pipes in Improved Streets—Conditions. § 16. It shall not be lawful for any person or persons, company or companies, corporation or corporations, to lay any gas, sewer or water pipes, either main or service pipes in any of the streets or alleys of the City of Rock Island, after said streets or alley shall be permanently improved, either by paving, macadamizing or graveling the same, unless special permission shall be given therefor by a majority vote of the City Council. Provided, that such permission shall in no case be granted by the City Council unless the party or parties making application therefor shall present with such application a bond with good and sufficient sureties, to be approved by said

City Council, conditioned as provided for in section 11 of this chapter; the Mayor and superintendent of streets shall have supervision of such work in all cases, and any person or persons, corporation or corporations, violating the provisions of this section, shall, upon conviction, forfeit and pay any sum not less than fifty nor more than one hundred dollars.

Laying of Lead Water Pipes to be Included in Improvement of Streets—Cost Thereof—Proviso. § 17. That whenever any street or alley in the City of Rock Island is hereafter permanently improved by paving or macadamizing, there shall be included in such improvement the furnishing and laying of one extra strong lead water service pipe, from which the water main on such street or alley to the lot line, for each lot or part of lot having a separate water service and all iron water service pipes in the streets so improved shall be removed at the time of such improvement to the lot line on each side of such street or alley.

The cost of furnishing and laying such extra strong lead water pipes shall be included in all cases in the cost of such street improvement, and shall be assessed and collected in the same manner and as a part of the cost of the same, in such manner as may be provided in the ordinance ordering or authorizing such improvement to be made. Provided, however, that in case the owner or owners of any lot or separate holding shall, before such improvement is ordered or authorized as aforesaid, have laid such extra strong lead water service pipe at his or their own expense, then and in that case, the proper proportion of the cost of such improvement, which may be saved by such pipe, having been already laid shall be estimated by the street superintendent, city engineer and Mayor and rebated to such lot owner, having furnished the same, and in case of such work being done by contract, such rebate or rebates shall be deducted from the contract price of such work. And provided, further, that all water service pipes hereafter laid in any street or alley of said city shall be of extra strong lead pipe and no iron water service pipe shall

hereafter be laid in any street or alley in said city, whether such street or alley be paved or macadamized or not.

Curbing—Where to be Set—How to be Constructed.

§ 18. In improving all streets in the City of Rock Island, curbing shall be so set as to leave a space of fourteen feet between the curbing and the lot line on all streets of eighty feet or more in width; space of twelve feet between the curbing and lot line on all streets from sixty to eighty feet wide, and a space of ten feet between the curbing and the lot line on all streets less than sixty feet wide. The curbing on all streets shall be of stone or other incombustible material to be approved by the Mayor, city engineer, city superintendent of streets, or board of local improvements. In all cases the curbing shall be not less than four inches in thickness. All curbing shall be securely tied in and shall project above the surface of the gutter not less than five inches.

All Permanent Improvements to be Made by Special Taxation or Special Assessment. § 19. That hereafter all permanent improvements in or upon the streets and alleys of this city shall be made by special taxation, or it may be done by special assessment, if in the opinion of the City Council, other property than that which abuts upon the proposed improvement shall be specially benefited, to an extent sufficient to warrant such improvement being made, by special assessment, and all streets and alleys hereafter opened or laid out within the city limits of the City of Rock Island, shall be opened or laid out by special assessment, according to the statute of the State of Illinois, in such cases made and provided.

Streets, Etc., to be Kept Free From Weeds and Grass.

§ 20. That it shall hereafter be the duty of the superintendent of streets to keep all streets, alleys and public grounds of the City of Rock Island free from weeds and tall grass from the first day of June until the first day of October of each year. Said superintendent is hereby empowered, whenever instructed by the Mayor, to employ a sufficient number of competent persons to carry out this provision of this

section and the cost of such labor, when performed, to be certified by the superintendent of streets and paid out of the appropriation for streets and alleys, or such other fund as the City Council may set aside or designate for that purpose.

Excavating—Restoring Street. § 21. That any person, firm or corporation, licensed or unlicensed, who shall fail, neglect or refuse within a period of ten (10) days after excavating in street, avenue, alley or highway in this city, to restore the same to the condition existing before the said excavating was done, shall forfeit and pay to the city double the amount of the expense incurred by the superintendent of streets, or the officer under whose supervision the work is done in restoring said street to said prior existing condition. This section applies as well to all excavations made under sidewalks in this city. Whenever the superintendent of streets, or the properly authorized officer, is obliged to do the work of restoring any street, avenue, alley, highway or sidewalk to its former condition after an excavation has been made therein, which said work of restoration has been necessitated by the failure of any person, firm or corporation to comply with the requirements of section 1 of this ordinance, then, and in that event, said person, firm or corporation shall be deprived of the privilege of opening and excavating in any of the streets, alleys, avenues and highways of this city until the sum stated in section 1 hereof shall have been paid in to the City Clerk.

Whenever any street, avenue, alley or highway in this city is improved by paving the same with brick, wooden or stone blocks, or asphaltum, the said paving and street shall not be opened, nor shall any excavations be allowed to be made therein for a period of seven years, dating from the time of the completion of said improvement, except upon permission granted by a two-thirds vote of the City Council.

All connections with water, sewer and gas pipes and all other supply and outlet pipes of whatever kind or nature along said streets must be made and laid when the said

streets, alleys, etc., are open and excavated for the said improvements, or prior thereto, and if said connections are not made and said new pipes laid at times specified in this section, the period of seven years must elapse as above specified before they can be made.

It is understood that section 3 hereof applies only to new connections or the extensions of old connections, and the laying of new pipe lines along said streets; however, the necessary right to remove and repair or relay pipes that were laid before said improvement, the same having become damaged or out of repair, may be granted by the City Council.

§ 22. Permission is hereby given property owners to establish on the streets and avenues in front of their respective properties, poles to be used in street lighting, upon the property owners complying with the requirements of the City Council.

Careful Driving. § 23. Every person riding, driving, propelling, operating, or in any charge of any vehicle upon any of the streets or public places within the city shall ride, drive, propel, or operate such vehicle in a careful manner and with due regard for the safety and convenience of pedestrians and all other vehicles upon such street or public places.

Meeting and Passing Street Cars. § 24. Every person riding, driving, propelling, operating, or in charge of any vehicle upon the streets or public places of the city, shall when approaching, or about to pass any street car near a street crossing or any place where street cars are accustomed to stop for the purpose of taking on or letting off passengers, reduce the rate of speed of such vehicle to not more than five miles an hour, and shall have such vehicle under full control, so as to avoid colliding with persons getting on or off of such street car.

Rules. § 25. Every person riding, driving, propelling, operating or in charge of any vehicle upon the streets or public places within the city, shall observe the following rules:

1. A vehicle, except when passing a vehicle, ahead, shall keep to the right, and as near the right curb as possible.
2. A vehicle meeting another vehicle shall pass on the right.
3. A vehicle overtaking another vehicle shall in passing keep to the left, but it shall not leave the line on the right, unless there is a clear way of at least one hundred (100) feet in advance on the left.
4. On a highway divided longitudinally by a parkway, viaduct, walk, sunken way or subway structure, vehicle shall keep to the right of such division.
5. A vehicle in turning to the right into another street shall keep as near to the right curb as possible.
6. A vehicle turning to the left into another street shall pass to the right of and beyond the center of the intersecting street before turning.
7. A vehicle crossing from one side of the street to the other shall do so by turning to the left so as to head in the general direction of traffic on that side of the street.
8. Slow-moving vehicle shall keep as closely as possible to the curb on the right, so as to allow faster moving vehicles free passage on the left.
9. No person having charge of a vehicle shall allow the same to come within ten (10) feet of any vehicle in front of him when approaching and passing over a crossing where a pedestrian is about to pass.
10. Every driver of a vehicle shall, in slowing up or stopping, give a signal to those behind by raising a whip or a hand vertically.
11. In turning while in motion or in starting to turn from a standstill, a signal shall be given, by the driver of the vehicle about to be turned by raising a whip or hand, indicating the direction in which the turn is to be made.
12. Before backing ample warning shall be given by

voice or uplifted hand, and while backing unceasing vigilance must be exercised by the driver not to injure those behind.

13. Drivers of motor vehicles of all kinds shall in approaching a crossing or in rounding a corner or curve of a public street sound their signals in such a way as to give warning to other vehicles and to pedestrians of their approach.

14. Vehicles must stop so as not to interfere with or prevent the passage of pedestrians at crossings, and at all times drivers of vehicles must stop the same on a signal from a police officer.

15. Drivers should never stop at the curb with the car facing in the wrong direction. The rules of the road call for a machine or vehicle stopping with the right wheels to the curb.

16. Drivers and persons operating or in charge of automobiles and motor vehicles of all kinds, when stopping or standing at the curb of streets or public places, shall, so far as possible, avoid stopping or standing their vehicles in front of hitching post or hitching rings along the curb used for hitching horses or other animals employed in traffic upon its streets and public places.

Lights on Vehicles. § 26. Every person owning, operating or in charge of any automobile, shall have such automobile properly equipped with a horn, bell or other device for signaling by sound to give notice of its approach, and between one hour after sun set and one hour before sunrise, such automobile shall be equipped with a white light shining to the front and a red light shining to the rear, which lights shall be kept burning.

Definition of Vehicle. § 27. Wherever in this ordinance the word "vehicle" occurs, it shall be held to include every wagon, hack, coach, carriage, omnibus, push cart, bicycle, tricycle, automobile, motorcycle, or other conveyance (except baby carriages) in whatever manner, or by whatever

force or power the same may be driven, ridden, propelled or operated, which is or may be used for or adapted to, pleasure riding or the transportation of passengers, baggage, merchandise, or freight, upon any streets; and every draft or riding animal, whether driven, ridden or led, excepting that an animal or animals attached to any vehicle shall with such vehicle constitute one vehicle.

Penalty. § 28. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one dollar, and not exceeding twenty-five dollars.

CHAPTER 56

TELEGRAPH, TELEPHONE, ELECTRIC LIGHT AND OTHER POLES.

- § 1. Poles—where to be set.
- 2. Not to be set out without permission of the City Council.
- 3. Wires to be raised or removed upon notice.
- 4. Removal of poles.
- 5. Time of removal.
- 6. Permission to lay underground.
- 7. Climbing of poles.
- 8. Penalty.

Poles—Where to be Set. § 1. All telegraph poles, telephone poles, electric light poles, or other poles from which wires are or may be extended within said city, shall be set inside and next to the curbstone, where curbstone is or may be set, and where there is no curbstone, then upon such line as the engineer employed by the city may in writing direct as the true and proper line. All poles now erected or which may be erected for said business shall be painted from the ground to the top of the pole, and shall be painted white from five feet above the ground to the top of the pole.

Not to be Set Out Without Permission of the City Council. § 2. It shall not be lawful to set out any of said poles

upon any street, sidewalk or alley within said city without first procuring permission so to do from said City Council.

Wires to be Raised or Removed Upon Notice. § 3. Whenever it shall become necessary to have any of such wires raised or removed to enable buildings or other things to pass along any of said streets or alleys, the owners or managers of such wires shall, when notified, cause said wires to be raised or removed.

Removal of Poles—Fire Limits. § 4. That all poles erected within the fire limits in the streets or alleys of the city of Rock Island, for the support of wires used in connection with the transmission of electricity, by telephone and telegraph companies, except such as support wires required by the city ordinances, to be removed and run in conduits, shall hereafter be allowed to remain only upon the terms and conditions hereinafter set forth.

Time of Removal. § 5. No pole now erected for the support of electric wires shall remain on any street within the fire limits in the city after the 1st day of January, A. D. 1911, unless the owner or user of such pole shall first have petitioned for and obtained the privileges of erecting and maintaining poles and wires for electric purposes in accordance with the conditions of this ordinance, and such other conditions as the Council may see fit to impose. And if such owner, failing to obtain such privileges as above required, shall neglect or fail to remove such pole or poles and electric wire supported thereon from the street or alley of the city by the 1st day of January, A. D. 1911, and restore the street to a condition similar to the rest of the streets or alleys contiguous thereto, the said owner shall be liable to a fine of not less than five (\$5) dollars nor more than one hundred (\$100) dollars, for every such pole so remaining in the street or alley; each day's failure to be a separate offense.

Permission to Lay Underground. § 6. The City Council will grant permission to any company, corporation, partnership, or individual to place its wires and electric conductors in conduits under the surface of said streets of the city;

any such individual, corporation, partnership or company desiring such permission shall petition to the City Council therefor; such petition shall name the streets, alleys, and the side and portion thereof to be used and occupied by such conduits, and shall submit maps, plans, and details thereof to accompany such petition.

Climbing of Poles. § 7. It shall be unlawful for any person to climb any pole used in the transmission of electricity, except such persons as are in the discharge of work upon said poles, or to prevent fire or accident.

Penalty for Violation. § 8. Any person, persons, company or corporation violating any of the provisions of this chapter shall, upon conviction, be fined not less than five nor more than fifty dollars for each offense, and ten dollars for each and every day he or they may continue the same.

CHAPTER 57

THEATRES AND PUBLIC HALLS.

- § 1. How to erect.
- 2. Public halls defined.
- 3. Exits—height of floors—fire walls.
- 4. Floors to be fire-proofed in.
- 5. Partitions.
- 6. What preceding sections apply to.
- 7. Opening in halls, etc., heretofore built.
- 8. Ventilators over stage.
- 9. Water stand-pipe on stage.
- 10. Hose attached to stand-pipe.
- 11. Other stand-pipe required.
- 12. Fire alarm box.
- 13. Fire extinguishing apparatus required
- 14. Shall employ fireman.
- 15. Fire-proof curtain.
- 16. Automatic sprinkler.
- 17. Penalty.

How to Erect. § 1. Any person, firm or corporation desiring to erect a public hall in the city of Rock Island shall comply with the following regulations and requirements, and the same shall be built, constructed and maintained

under the direction and supervision of the Chief of the Fire Department.

Public Halls Defined. § 2. Every theatre, opera house, hall, church or other building intended to be used for public assemblages, shall be deemed a public hall within the meaning of this ordinance.

Exits, Height of Floors, Fire Walls. § 3. Every public hall with accommodations for five hundred or more people shall have at least two separate and distinct exits, to be as far apart as may be found practicable. Those accommodating one thousand or more persons shall have at least three separate and distinct exits. The exits from all galleries shall be independent and separate from the exits of the main floor. Public halls for the accommodation for one thousand persons or more shall have the main floor not over twenty-five feet above the street grade; no portion of the main floor of any theatre, with accommodations for five hundred or more of any theatre, with accommodations for five hundred or more persons, shall be more than sixteen feet above the street grade.

In all theatres and opera houses the proscenium wall shall be of brick work, not less than sixteen inches thick, extending from the ground through and four feet above the roof; this brick wall to extend entirely across the building from the floor of the stage to the ground. All openings required in any part of the wall (except the principle opening) shall have proper iron doors.

Floors to be Fire-Proofed In. § 4. All auditorium floors in theatres shall be fire-proof, either by deadening the same with at least one inch of mortar, or have the under side of joists lathed with iron and plastered with at least one heavy coat of mortar.

Partitions. § 5. All partitions for rooms and passages in theatres, if not made bodily fire-proof, shall be plastered on both sides on iron or wire lathing or tiling.

What Preceding Sections Apply to. § 6. The preced-

ing sections, from section 1 to section 5, both inclusive, shall apply only to theatres or public halls that may hereafter be erected. The following provisions shall apply to theatres or public halls that are now or may be hereafter erected or constructed.

Opening in Halls, Etc., Heretofore Built. § 7. All egress openings in public halls shall have the word "Exit" conspicuously placed over them, in plain letters, six inches in size, and shall otherwise conform to the requirements of section 2 of this ordinance. The aisles or passages in such halls shall at all times be kept unobstructed. Red lights shall be placed over all exits.

Ventilator Over Stage. § 8. All theatres or other places of amusement having a seating capacity of over five hundred persons, and having a platform or stage, and using drop curtains or shifting scenery shall have a suitable ventilator placed upon the roof, and opening to the space above the stage. Such ventilators shall be arranged with valves or shutters, so that the same can be readily opened automatically in case of fire, so that a current of air will pass over the stage and outward through such ventilator, and shall be equal in area to one-tenth of the stage.

Water Stand-Pipe on Stage. § 9. All such buildings shall have a water stand-pipe and water plug, to be placed on the stage or platform, or in its immediate vicinity, which shall be connected with the water pipes or street mains of the City Water Works System, and shall be put in under the direction and to the satisfaction of the Chief of the Fire Department.

Hose Attached to Stand-Pipe. § 10. Hose shall be attached to such stand-pipe, of such size as may be directed by said chief, to have nozzle and stop-cock attached thereto; such hose shall be of sufficient length to extend to the farthest limits of such building or place of amusement, and shall at all times be kept in good order and repair, and ready for immediate use.

Other Stand-Pipes Required. § 11. All public halls, with accommodations for one thousand or more persons, shall have at least one stand-pipe in the street or alley on the outside of the building, from ground to roof, with hose attachments, close to a window or door at each floor or gallery.

Fire Alarm Box. § 12. Such hall shall also be provided with a fire alarm telegraph apparatus, connected by the necessary wires with the headquarters of the city fire alarm telegraph, or such other place or places as the chief of the fire department shall direct.

Fire Extinguishing Apparatus Required. § 13. It will be the duty of all owners, agents, lessees and occupants of such public hall to provide such fire extinguishing apparatus at such points about the building as the chief of the fire department shall direct.

Shall Employ Firemen. § 14. It shall be the duty of the owner, agent, lessee or occupant of any theatre with accommodations for one thousand or more persons to employ one or more competent, experienced firemen, approved by the chief of the fire department, to be at such theatre during the whole time it is open to the public; such firemen shall report to and be subject to the orders of the said chief, shall be in uniform and shall see that all fire apparatus required is in its proper place and in efficient and ready working order.

Fire-Proof Curtain. § 15. Every public hall having a stage with movable scenery and drop curtains, shall be equipped with a No. 1 fire-proof asbestos curtain.

Automatic Sprinkler. § 16. It shall be the duty of the owner, agent, lessee or occupant of any theatre with accommodations for one thousand or more people, to install, under the direction and supervision of the chief of the fire department, an automatic or dry sprinkler system over the stage, the same to be satisfactory to the said chief.

Penalty. § 17. A violation of any of the provisions of this ordinance will be punished by a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars

for each offense; and every day the said violation shall continue after notice to remedy the same, shall be held to be a separate and distinct offense.

CHAPTER 58

VAGABONDS.

- § 1. Vagabonds defined.
2. How punished.

Defined. § 1. All persons in said city able to support themselves in some honest and respectable calling, business or occupation, and not having visible means to maintain themselves, who are idle and dissolute, and who go around begging; all persons who use any juggling or other unlawful games or plays; runaways, pilferers; confidence men, common drunkards; common night walkers; lewd, wanton and lascivious persons, in speech or behavior; common railers and brawlers; persons who are habitually neglectful of their employment or their calling, and do not lawfully provide for themselves, or for the support of their families; and all persons who are idle or dissolute, and who neglect all lawful business, and who habitually misspend their time by frequenting houses of ill-fame, gaming houses or tippling shops; all persons lodging in or found in the night time in outhouses, sheds, barns or unoccupied buildings, or lodging in the open air, and not giving a good account of themselves; and all persons who are known to be thieves, burglars or pickpockets, either by their own confession or otherwise, or by having been convicted of larceny, burglary or other crime against the laws of the state, punishable by imprisonment in the state prison, or in a house of correction of any city, and having no lawful means of support, or habitually found prowling around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction room, store, shop or crowded thoroughfare, car or omnibus, or at any public gathering or assembly,

or lounging about any court room, private dwelling houses or outhouses, or found in any house of ill-fame, gambling house or tippling shop, shall be deemed to be, and they are declared to be vagabonds.

How Punished. § 2. Every person, on conviction for being a vagabond, shall be subject to a fine of not less than twenty (\$20) dollars, nor more than one hundred (\$100) dollars, and in default of the immediate payment of said fine and costs, he shall be sentenced to imprisonment for a term of not less than five days, nor more than six months, in the discretion of the magistrate before whom such conviction is had.

CHAPTER 59

WAGONS AND OTHER VEHICLES.

- § 1. Width of tires.
- 2. Wagon to be weighed by public weigher.
- 3. Duty of owners to drive to scales when directed.
- 4. Weigher to weigh free of charge.
- 5. Penalty for violation.
- 6. Driving wagons tandem—penalty.

Width of Tires. § 1. It shall be unlawful for any person at any time to drive, or having authority and control thereof, permit to be driven over any of the streets or public grounds of the City of Rock Island, any wagon or vehicle which, with the load thereon, weighs over 4,500 and not more than 5,500 pounds, and the tires of which are less than two and one-half inches wide, or any wagon or vehicle, which, with the load thereon, weighs over 5,500, and not more than 8,000 pounds, and the tires of which are less than three inches wide, or any wagon or vehicle which, with the load thereon, weighs over 8,000 pounds, and the tires of which are less than four inches wide.

Wagon to be Weighed by Public Weigher. § 2. Whenever any policeman or other officer of the city may see any loaded wagon or vehicle driven on the streets or public

grounds of the city, which may appear to him to be driven in violation of any of the provisions of this ordinance, he shall direct the person or persons driving such wagons or vehicles, or in charge thereof, to drive the same to the scales of the nearest or most convenient public weigher, in order to have said wagon with the load thereon weighed, and in case of a refusal so to do, the said policeman or officer may himself take and drive such wagon or vehicle to such public weigher.

Owners Shall Drive to Scales When Directed. § 3. Whenever any person or persons driving, or in charge of any such wagon or vehicle, may be directed to drive the same to the scales of a public weigher as provided in section 2 hereof, it shall be the duty of such person or persons to, and such person or persons shall immediately drive such wagon or vehicle to the scales of such public weigher, and permit the same to be weighed.

Weigher Shall Weigh Free of Charge. § 4. Every public weigher of the City of Rock Island, holding license as such public weigher, shall, when requested by any officer or policeman of the city, weigh free of charge any wagons or vehicles brought to his scales to be weighed under sections 2 and 3 hereof. And all licenses hereafter granted to public weighers shall be deemed granted upon condition of weighing free of charge in such cases.

Penalty for Violation. § 5. Any person violating any of the provisions of this ordinance, whether in relation to driving wagons or vehicles weighing too much for the width of the tires or in relation to driving such wagons or vehicles to the scales of a public weigher, or in relation to weighing such wagons or vehicles when driven to the scales of a public weigher, and every person obstructing or interfering with an officer or policeman enforcing the provisions of this ordinance, shall be guilty of a misdemeanor, and, upon conviction be fined not less than five dollars, nor more than one hundred dollars, and imprisoned until the fine and costs shall be paid; provided, however, that such imprisonment shall not exceed thirty days.

Driving Wagons Tandem—Penalty. § 6. No person, firm or corporation shall within the corporate limits of this city hitch or fasten together or cause the same to be done, two or more wagons, buggies or carts, whether the same be loaded or unloaded, and haul or cause the same to be hauled on and through the streets of this city. It is the express intention of this ordinance that each wagon, buggy or cart shall be drawn singly and alone, whether one or more horses or teams are attached thereto; and in no instance shall a wagon, buggy or cart be fastened in the rear of any other vehicle and hauled through the public streets of Rock Island. Any violation of this ordinance shall be deemed a misdemeanor and punished by a fine of not less than twenty-five (\$25) dollars, nor more than fifty (\$50) dollars for the first offense and not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars for all subsequent offenses.

CHAPTER 60

WARDS.

§ 1. The City of Rock Island is hereby divided into seven wards, as follows:

First Ward. All that portion of said city lying west of the center line of Eighth (8th) street, and of said line produced north to the middle thread of the main channel of the Mississippi river, and produced south to the southern limits of said city, shall constitute the First ward.

Second Ward. All that portion of said city lying east of the east line of said First ward and west of the center line of Twelfth (12th) street, and of said line produced north to the middle thread of the main channel of the Mississippi river, and produced south to the southern limits of said city, shall constitute the Second ward.

Third Ward. All that portion of said city lying east

of the east line of said Second ward, and west of the center line of Sixteenth (16th) street, and of said line produced north to the middle thread of the main channel of the Mississippi river, and produced south into Seventeenth (17th) street, thence south on the center line of said Seventeenth (17th) street to the southern limits of the city, shall constitute the Third ward.

Fourth Ward. All that portion of said city lying east of the east line of said Third ward and west of the center line of Twentieth (20th) street, and of said line produced north to the middle thread of the main channel of the Mississippi river, and south to the southern limits of said city, shall constitute the Fourth ward.

Fifth Ward. All that portion of said city lying east of the east line of said Fourth ward, and west of the center line of Twenty-fourth (24th) street, and of said line produced north to the northern limits of the city, and produced south to the southern limits of said city, shall constitute the Fifth ward.

Sixth Ward. All that portion of said city lying east of the east line of said Fifth ward, and west of the center line of Thirtieth street, and of said line produced north to the northern limits of the city, and produced south to the southern limits of said city, shall constitute the Sixth ward.

Seventh Ward. All that portion of said city lying east of the east line of said Sixth ward, shall constitute the Seventh ward.

CHAPTER 61

WATER WORKS.

- § 1. Public hydrants—meddling with—penalty.
2. Breaking hydrants—pollution, or waste of water—penalty.
3. Wrongful use of hydrants—penalty.
4. Obstruction stop-cocks—penalty.
5. Rules and regulations.
6. Penalty for violation of water regulations.
7. Water rates to be paid semi-annually in advance, on the first day of May and first day of November.
8. Water rates established.
9. Superintendent of water works to have full control over all employes, etc.
10. Printed copy of water works ordinances to be furnished to water taker.
11. Turning water on before final test.
12. Leaving water turned on.
13. Penalty.
14. Rebate on special assessment.

Public Hydrants—Meddling With—Penalty. § 1. All hydrants constructed and to be constructed in the City of Rock Island for the purpose of extinguishing fires in said city, are hereby declared to be public hydrants, and no person or persons (other than the members of the fire department of said city, for the uses and purposes of said department, and those especially authorized by the superintendent of the Rock Island city water works) shall open any of said hydrants, or attempt to draw water from the same, or in any manner interfere with or injure any of said hydrants, under a penalty of not less than five dollars, nor exceeding one hundred dollars for each and every offense.

Breaking of Hydrants—Pollution or Waste of Water—Penalty. § 2. Any person or persons who shall willfully or carelessly break or injure any of the public hydrants in said city, or shall pollute or unnecessarily waste the water at any such hydrants, shall, on conviction, be fined in a sum not less than five dollars, nor exceeding one hundred dollars for each and every offense.

Wrongful Use of Hydrants—Penalty. § 3. Any member of the fire department who shall let out, or suffer or per-

mit any person or persons to take the wrenches furnished to the fire department of said city, to be used in case of fire, or shall suffer or permit any of said wrenches furnished said department to be taken from any of the engine houses of said department, except as they accompany the engines on occasions of fire, or for other purposes connected with the fire department, shall, on conviction, forfeit and pay a sum not less than five dollars, nor more than one hundred dollars for each and every offense.

Obstructing Stop-Cocks—Penalty. § 4. No person shall, in any manner, obstruct the access to any public hydrant or stop cock connected with any water pipe of said city, by means of any lumber, brick, building material or other article, thing or hindrance whatsoever, under a penalty of not less than three dollars, nor more than twenty-five dollars for each offense.

Rules and Regulations of Water Supply. § 5. The following rules and regulations are hereby adopted and established for the government of water takers in said city, and it is hereby made the duty of the superintendent of the city water to enforce the same, viz:

1. No occupant or owner of any building into which water is introduced will be allowed to supply water to any person not living on the premises. For any violation of this provision the supply shall be stopped and the amount paid forfeited. Nor shall any such occupant or owner permit any service pipe conveying water into or through such premises to be connected with any service pipe leading to any other lot or building, nor shall any person introducing water into any premises use any other than iron service pipe valve boxes, and in case of decay or breakage of boxes heretofore put in, such owner or occupant shall replace same by iron boxes and shall keep such boxes at all times free from obstructions and in good repair.

2. Whenever two or more parties shall be supplied from one pipe connecting with the distributing main, the

failure on the part of any one of said parties to comply with any of the provisions of this section, shall authorize the superintendent of the water works to shut off and withhold the supply of water from such service pipe, without any liability whatsoever, and all payments made shall be forfeited. And in all cases hereafter of making connections with street mains a separate connection shall be made for each residence and for each division of a tenement house, or other arrangement satisfactory to the superintendent of water works, whereby he can at any time readily shut off the water from each separate division, excepting in cases where one meter is used to measure all the water, and in cases where, on petition of all the parties interested, the City Council May find sufficient reason for making an exception.

3. No person without a written permit from the superintendent is allowed to turn a public or private stop cock.

4. No addition or alteration whatever, in or about any conduit, pipe or water cock, shall be made by any persons taking the water, without permission in writing from the superintendent of the water works.

5. All persons taking water shall keep their service pipes, stop boxes, cocks and all attachments and apparatus in good repair and protected from frost, at their own expense, and shall prevent all unnecessary waste of water; and it is expressly stipulated that no claim shall be made against the city by reason of the breaking of any cock or service pipe. All attachments to water mains hereafter shall be made with a screw tap, and where, in replacing old by new pipe a drove tap is found, the same must be replaced by a screw tap.

6. Applications for water must state fully all purposes for which it is required; and upon the payment of the semi-annual charges, parties must answer truthfully all questions put to them relating to its consumption. In case of fraudulent representation by the applicant, or the use of water for purposes not embraced in the applicant's appli-

cation, or of willful or unreasonable waste of water the superintendent of the city water works shall have the right to stop the supply of water unless the offender shall promptly pay such additional charge as the superintendent or the City Council may impose.

7. No person shall be permitted or allowed to use or receive water of or from the city water works of said city, in any manner or for any purpose whatsoever, other than as designated and named in the permit; no person shall be permitted or allowed to sprinkle streets, sidewalks, houses or other buildings, or to wash carriages, wagons, omnibuses, cars or other vehicles used with animals of any kind, or propelled by steam, without first obtaining a special permit therefor from the superintendent of the water works; no person shall be allowed to operate a hose for sprinkling, washing or other private purposes, without a nozzle thereto, the diameter of which shall not exceed one-fourth ($\frac{1}{4}$) of an inch; no owner or occupant of any lot, house, building or premises, receiving water from the city water works shall suffer or permit any continued leakage in the services, connections, stop cocks or attachments in or upon the said premises, nor allow any unnecessary flow or waste of water while using it for any of the uses and purposes granted in the permit; and no builders, contractors or other persons, or their agents, workmen or employes, engaged or employed in or upon any work, construction, masonry or building of brick, stone; cement or other material, or the plastering, cementing and finishing of the same, requiring the use of water therefor, shall have or use the water of the city water works taken from any source whatever without first obtaining a special permit from the superintendent of the water works or City Clerk and the payment of the water rate in advance.

8. No person shall use any water supplied through the city water works, for the purpose of hose sprinkling of yards or streets, between the hours of 8 a. m. and 5 p. m. in the day; nor for more than two hours in the morning and three hours in the evening, nor in the time of fire.

9. All officers and employes in the water works departments of said city shall have free access at proper hours of the day to all parts of every building in which the water is consumed, to examine the pipes and fixtures and to ascertain whether there is any unnecessary waste of water.

10. For a violation of any of the preceding rules and regulations, the superintendent of the water works shall have the right to stop the supply of water, without any previous notice thereof; nor will it be restored except upon the payment of the sum of one dollar for the expense of shutting it off and putting it on, besides the amount of water rates then due, and upon satisfactory assurance that no future cause of complaint shall arise.

Penalty for Violation of Water Regulations. § 6. Any person who shall violate or fail to observe or comply with any or either of the rules and regulations for the government of water takers, specified in section five hereof, shall, on conviction, in addition to the enforcement of the forfeitures, liabilities, stipulations and reservations therein contained, pay a fine of not less than three dollars, nor more than twenty dollars. It shall be the duty of all police officers at the time of relief each day, to report to the superintendent of water works all waste of water and all other violations of this ordinance which have come under their notice, and to give such assistance in detecting such violations as is possible without interfering with their other duties.

Water Rates to be Paid Semi-Annually in Advance on First of May and First of November—Meter Rates to be Paid Quarterly in Advance. § 7. The water rates or taxes hereinafter established shall be paid semi-annually in advance, on the first day of May and November, respectively, at the office of the City Clerk, who is hereby made the collector of water rates; provided, that meter rates shall be paid quarterly. Every person who shall fail to pay his water rate or tax during the month of May or during the month of November for the current six months, commencing on the first day of said months, respectively, or in case of meter

rates, within fifteen days from the first day of the quarter, shall have the use of the water stopped until full payment thereof and all arrearages and charges for shutting off and turning on the water be made.

Water Rates Established. § 8. The water rates or taxes for water used by every person using water from or through the Rock Island city water works, shall be as follows, to be paid by the owner of the premises where the water is taken:

1.	Per Annum
For residences, boarding houses and hotels, four rooms or under..	\$4.00
For residences, boarding houses, each additional room.....	1.00
For offices, each	5.00
For dental office	8.00
For sleeping rooms, public buildings, each	3.00
For stores, tailor shops, shoe shops, etc., 1,500 square feet floor space or under	6.00
For stores, tailor shops, shoe shops, each 500 square feet additional	2.00
For ice cream and oyster parlors, 800 square feet floor space or under, including kitchen, etc.	6.00
For each additional 300 square feet	2.00
For restaurants, each	10.00
For retail drug store, each	10.00
For wholesale drug store, each	15.00
For retail drug stores, with soda fountain	15.00
For saloons, each	15.00
For saloons, each beer pump run by water motor.....	5.00
For wholesale liquor stores, not rectifying	15.00
For saloons, beer gardens for the season, extra.....	10.00
For photograph galleries, each	15.00
For butcher shops, each	15.00
For barber shops, with one chair	5.00
For barber shops, each additional chair, extra.....	2.50
For blacksmith shop, with one fire	3.50
For blacksmith shop, each additional fire.....	1.75
For bakerys, each barrel daily use, \$4, but not less than.....	10.00
For watering troughs on sidewalks	10.00
For watering troughs in pastures, 50 cents each head of horses and cattle, estimated average during the season, but in no case less than	5.00
(No watering troughs allowed without automatic stop cocks.)	
For bath tubs, private, each.....	3.00
For bath tubs, public, each	8.00
For water closets, private, each.....	2.00
For water closets, public, including hotels, etc., each.....	5.00
For use of tank closets satisfactory to the superintendent a deduction of 33 $\frac{1}{3}$ per cent from above rates.	
For urinals, private, each	3.00
For urinals, public, including hotels, etc.....	6.00

For private stables, including washing of carriage, each horse up to two	2.00
For each horse over two	1.00
For dray and team horses, each	1.00
For work shops, employing ten persons or under	5.00
For each additional person	25
For cigarmaker shops, each hand	1.00
For schools, city, and for all other purposes for which use is authorized by the City Council, free.	
For churches, each	5.00
For steam engines, per horse power, each.....	2.50
For locomotives, each, up to to ten, per annum.....	60.00
For locomotives, above ten, per annum	40.00
(or meter rates.)	
For motors for sewing machines, private family.....	3.00
For motors for sewing machines, shops.....	6.00
For motors for public or private fans.....	5.00
For washing motors	3.00
For fountains used five months or less, 1-16 inch jet or less, for the season	10.00
For $\frac{1}{8}$ -inch jet	25.00
For $\frac{1}{4}$ -inch jet	50.00
For private fire hydrants, each	10.00
For use in laying brick, per thousand	7 $\frac{1}{2}$
For use in laying stone, per perch	03
For use in plastering, per square 100 yards.....	20
For use in making cement, per perch	05
For use in filling cisterns, per barrel	05
For street sprinklers, each team used, per month.....	15.00
For street and lawn sprinklers, with nozzle approved by the superintendent, for use as required between 6 and 8 a. m., and between 5 and 8 p. m., for sixty feet front or under.....	3.00
For each additional front foot	04
For special permit for use during four additional hours as specified in permit, double these rates, that is, one additional rate.	

In all cases the regular rates for the residences, stores or other premises, must be paid additional, and in all cases where the rate has not been paid on the premises, the water shall be shut off as soon as practicable after same is due. Except where fountain rates are paid, no street or lawn washer shall be permitted to run at any time without some one present in charge of the hose who shall see that only so much water is used as is necessary. Any person who shall either willfully or negligently violate this provision, or who shall permit a street or lawn sprinkler to run outside of the specified hours, or within them in time of fire, shall pay a fine of not less than one nor more than fifty dollars.

For railroads, breweries, bottling establishments, livery stables, elevators in stores or other bulidings, wholesale

liquor stores, rectifying liquor establishments, manufacturing drug stores, steam laundries and all other large consumers not specified, meter rates.

For laundries not using steam, small dying works and all other small consumers, estimated meter rates, according to the consumption of water, as estimated by the superintendent, with the approval of the committee, subject to the decision of the Council in case of disagreement.

2. The charge for water to consumers supplied with meters shall be in accordance with the following table, provided that in no case shall any meter rate be less than one (\$1) dollar per month.

40,000 gals. or more, per quarter, per 1,000 gals.,	20 cents
50,000 gals. or more, per quarter, per 1,000 gals.,	19 cents
60,000 gals. or more, per quarter, per 1,000 gals.,	18 cents
70,000 gals. or more, per quarter, per 1,000 gals.,	17 cents
80,000 gals. or more, per quarter, per 1,000 gals.,	16 cents
90,000 gals. or more, per quarter, per 1,000 gals.,	15 cents
100,000 gals. or more, per quarter, per 1,000 gals.,	14 cents
200,000 gals. or more, per quarter, per 1,000 gals.,	12 cents
300,000 gals. or more, per quarter, per 1,000 gals.,	11 cents
500,000 gals. or more, per quarter, per 1,000 gals.,	9 cents

A rate of 8 cents will be made for larger quantities.

3. When more than one meter is required by one consumer owing to the arrangement of the connections with the mains, the rate shall be computed separately for each meter; provided, that exceptions may be made where the average for each meter is not less than \$250 and all in the same vicinity.

4. No occupant or owner of any premises in which water is introduced unless paying meter rates will be allowed to supply other persons or families not paying for water. Any person violating this provision will be charged double the usual rates for each person or family so furnished with water.

5. The superintendent of the water works, with the

approval of the committee, shall place meters as rapidly as practicable on all consumers, where, on account of uncertainty as to quantity consumed, probable waste of water or other causes, he believes that the interests of the city require it.

6. Any consumer who has, for at least one year previously, paid at the rate of \$100 per annum or over for water supplied from one connection with the street main, shall, within six months after making written application, be supplied with a meter at the expense of the city, and thereafter pay meter rates.

7. Any consumer paying less than \$100, who is of opinion that his rate is too high, shall be supplied on like conditions; provided, that he pay the cost of the meter, exclusive of setting and repairs; the price of the meter to be deposited with the collector of water rents at the time of making application.

8. The superintendent shall, in cases where there is no special cause for making exceptions, examine all meters where he supposes the consumption will exceed 200,000 gallons per month, monthly, and all other meters quarterly.

9. All water takers shall be responsible for all damages done to a meter on their premises, and any person convicted of breaking the seal of a meter, or in any other way tampering with a meter, shall be fined in a sum not less than twenty-five dollars nor more than five hundred dollars for each offense.

10. The rate for residences, hotels or places of business, shall in no case be construed as covering the use of water for bath tubs, water closets, motors, or other special purposes, but shall include wash basins, and all ordinary uses of such residence or place of business not above enumerated as specific items.

11. All wash basins, urinals, etc., shall be supplied with self-closing attachments within six months after this ordinance takes effect, on penalty of 50 cents per annum in-

crease of rates on wash basins, and 25 per cent increase on all rates for urinals, water cosets, etc., until such attachments are supplied.

12. No claim shall be made against the City of Rock Island by reason of the breaking of any main or service pipe, cock or meter, or any other temporary interruption of the water supply, or by reason of the breaking of the machinery or stoppage for necessary repairs.

13. It shall be the duty of all police officers at time of relief each day, to report to the superintendent of water works all waste of water and all other violations of this ordinance which have come under their notice, and to give such assistance in detecting such violations as is possible, without interfering with their other duties.

14. That the rates for water taken from the water mains and pipes which are outside the city limits of the City of Rock Island shall be double the rates charged for water drawn from pipes within the city limits.

Superintendent of Water Works to Have Full Control Over all Employes, Etc. § 9. The superintendent of the water works, having been duly appointed and given bonds, shall have full control over all the employes, and or the employment of new men in case of vacancy. He shall have full power to discharge all inefficient or insubordinate employes, and shall be held strictly responsible for all his acts, and for the efficient and economical administration of the department. The engineers and firemen at the water works shall be regarded as employes of the department, and employed by the superintendent, by and with the consent of the Mayor first being had, and at such wages as shall be paid by authority of the Mayor and council. In the purchase of supplies the superintendent shall act only by the authority of the committee first obtained, except that in the case of small articles the committee may authorize such discretion as they deem for the best interests of the city.

Printed Copy of Water Works Ordinances to be Fur-

nished to Water Takers. § 10. A printed copy of the water works ordinances, with any explanation that the committee, with the approval of the Mayor, may deem it advisable to add, shall be furnished to each water taker on or before May 1, 1889, and to each new water taker after that day; and printed on or attached to every receipt for water rent paid shall be a caution warning to read the ordinance and avoid incurring liability to its penalties.

Turning Water On Before Final Test. § 11. That it shall be unlawful for any person, firm or corporation within the City of Rock Island to turn water on in any plumbing job in any building within the corporate limits without first having had made the final test of the plumbing inspector.

Leaving Water Turned On. § 12. Any plumber who makes a connection with a water main and leaves the water turned on without notifying the Superintendent of Water Works shall be subject to the following, to-wit: First, his license to be revoked, or in lieu thereof; second, may be suspended; or third, may be fined at the disposition of the Department. In case a fine is determined upon, it shall not be less than three (\$3) dollars nor more than ten (\$10) dollars for each violation of these rules. Aggravated cases will not be subject to fines.

Penalty. § 13. Any person, firm or corporation violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred (\$100) dollars, or by imprisonment in the city prison not to exceed thirty (30) days, or by such fine and imprisonment.

Rebate on Special Assessment. § 14. That whenever water mains shall have been laid by special assessment or special taxation, the owner or owners of the lot or tract of land on which said special assessment or special taxation may have been levied shall be credited on their water rents with the amount assessed against the said property, and shall be allowed to use water at said rates to the amount of such credit without further payment; and an account shall

be kept by the City Clerk of the amount of said credit and the charges for the use of the water as aforesaid, but such credit shall not be allowed for water used on any other premises than those upon which special assessment or special taxation shall have been levied.

CHAPTER 62

WEIGHERS AND MEASURERS.

- § 1. No person to act as weigher or measurer for hire, except appointed or licensed.
2. City weigher and measurer to be appointed.
3. Other weighers and measurers to be licensed.
4. Weighers to attend at reasonable times—certificate of weight.
5. Stamped certificates of weight to be furnished licensed weighers by City Clerk.
6. Articles to be weighed and certificates furnished—exceptions.
7. Weighers to be also measurers and give certificates.
8. Wood, etc., must be measured and certificates furnished—exceptions.
9. Fees of weigher and measurer.
10. City weigher and measurer to report and pay fees to city—license weighers, etc., to collect and retain fees.
11. Certificate of accuracy.
12. Authorizing officials to weigh.

No Person to Act as Weigher or Measurer for Hire, Except Appointed or Licensed. § 1. No person shall, for hire, use or permit to be so used within said city, any platform or hay scales, or act as public measurer of wood, lumber or timber, except the city weigher and measurer, and such as may be licensed by the city for said purposes.

City Weigher and Measurer to be Appointed. § 2. A city weigher and measurer shall be appointed to attend to public weighing on the city scales on Market Square (Seventeenth street), and to act as measurer of wood, lumber and timber, who shall give bond, qualify and hold said office, as provided by the law and ordinances in that behalf, whose compensation shall be as provided for in section 12, chapter 23, or this ordinance; each weigher appointed or licensed as

aforesaid shall be a public measurer as provided for in section 7, chapter 32.

Other Weighers and Measurers to be Licensed. § 3. License may be issued by the Mayor and City Clerk to any responsible person or persons, as weighers and measurers within said city; who shall give bond and security in the sum of two hundred dollars, conditioned that the licensee shall faithfully keep and observe all ordinances of said city relating to or affecting licensed weighers and measures, that may be of force during any period of said license; and shall pay to the clerk for the use of the city, one dollar for drafting bond, issuing the license and registering the same.

Weighers to Attend at Reasonable Times—Certificates of Weight. § 4. Every weigher licensed or appointed as aforesaid, shall attend at all reasonable times to the weighing of any load or draft which any person may desire to have weighed upon the scales in his charge. He shall keep an account of the weight of every load by him weighed, and shall furnish a certificate of the weight thereof, showing the gross weight, tare and net weight of such load and the net weight computed in tons, bushels, etc., according to the standard of weights and measures of the State of Illinois. Said certificates shall be made and issued only upon blanks to be furnished by the city to such weighers for said purpose. The seller of any article so weighed shall furnish to the purchaser the weigher's certificate aforesaid.

Stamped Certificate of Weights to be Furnished Licensed Weighers by City Clerk. § 5. Upon the payment to the City Clerk, for the use of said city, of the sum of two dollars and fifty cents, he shall deliver to any person so licensed, one hundred such blank certificates, stamped with the seal to be used by him, and no licensed weigher shall make or issue any certificate of weight except upon said blanks furnished him.

Articles to be Weighed and Certificate Furnished—Exceptions. § 6. All hay, straw, coal (other than charcoal

and coke), grain and other articles and things, usually sold by weight, offered for sale in said city shall be weighed upon the city scales or some licensed scale in said city, and certificates thereof furnished as aforesaid, except when sold by retail, in small quantities, or when otherwise agreed by both parties.

Weighers to be Also Measurers and Give Certificates.

§ 7. Each weigher appointed or licensed as aforesaid, shall also be a public measurer of wood, lumber and timber, and shall, upon the request of the seller or purchaser of any wood, lumber or timber, sold or to be sold within this city, measure the same and give his certificate of every such measurement, upon payment to him of his legal fees for his services; which certificates shall be upon blanks to be furnished by the city, and for which he shall pay the same as for weigher's certificates. Each measurer shall keep an account of all measurements made by him in like manner, as he is above required in regard to weights.

Wood, Etc., Must be Measured and Certificate Furnished—Exception. § 8. No person shall, without the consent of the purchaser, sell and deliver in said city, any wood, lumber or timber without first having it measured by some public measurer, authorized by said city, and furnishing to the purchaser his certificate of such measurement nor sell or offer for sale flour or meal put up in sacks containing less than one barrel, unless the same shall have the number of pounds contained therein plainly marked on the outside thereof, under a penalty of not less than five (5) nor more than fifty (\$50) dollars for each offense.

Fees of Weigher and Measurer. § 9. Each weigher and measurer shall be allowed for his services, the following fee: For each load weighed, the sum of ten cents, which shall include the weighing of the empty wagon or other tare; for the measurement of wood, sold by the cord, ten cents for each cord or fraction of a cord, when measured in one load. Every cord of wood shall contain one hundred and twenty-eight cubic feet, when closely and compactly piled together.

For the measurement of lumber, twenty-five cents per thousand and for the first 25,000 feet, and twelve and a half cents for every additional thousand feet; for the measurement of timber, fifty cents for the first hour or fraction of an hour, and twenty-five cents for each succeeding hour or fraction of an hour, including the time spent in going to and returning from the place where the measurement is made.

City Weigher and Measurer to Report, and Pay Fees to City—Licensed Weighers, Etc., to Collect and Retain Fees.

§ 10. The city weigher and measurer shall, at the end of each month, report to the City Clerk the number of loads weighed and measurements made, and the amount of fees received by him. The fees of all licensed weighers and measurers shall be received and retained by them in full for their services, and shall be paid by the persons for whom the services are rendered.

Certificate of Accuracy. § 11. Every person licensed under this ordinance shall cause the certificate of the accuracy of his weights, scales, scale-beams and other instruments used for weighing, which may be issued to him from time to time by the City Marshal, after the inspection, examination and testing of the same to be posted in some conspicuous and accessible part of his premises.

Authorizing Officials to Weigh. § 12. That all properly elected and appointed officers of the city of Rock Island are hereby vested with authority to compel any and all persons engaged in the sale and delivery of brick, lumber, firewood, coal, hay and other articles of merchandise in the City of Rock Island, where the said officer has reasonable grounds for believing that short weight or measure is being given, to compel the person so attempting to sell and deliver said article and merchandise to have the same properly weighed or measured by the city weighmaster of Rock Island, before said articles are delivered to the purchaser thereof.

Any person or persons resisting any officer of the City of Rock Island in the enforcement of the authority granted

him, herein, shall, on conviction, be fined in a sum of not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars for each offense.

Penalty for Violation Hereof. § 13. Any person who shall within the city, violate, disobey or fail to observe or comply with any of the provisions, requirements or regulations in this chapter contained, shall, upon conviction, be subjected to a fine not to exceed one hundred (\$100) dollars.

CHAPTER 63

YEAR.

- § 1. Fiscal year.
- 2. Municipal year.

§ 1. The fiscal year of said city shall commence on the 16th day of April of each calendar year.

§ 2. The municipal year of said city shall commence on the first Monday in May of each calendar year.

CHAPTER 64

REVISED ORDINANCES OF 1910.

An Ordinance adopting the foregoing ordinances as the "Revised Laws and Ordinances of 1910" and repealing other ordinances.

Be it ordained by the City Council of the City of Rock Island, Illinois:

§ 1. That the foregoing ordinances numbered from Chapter one to Chapter sixty-three are hereby adopted as, and shall constitute and be denominated the "Laws and Ordinances governing the City of Rock Island, in the State of Illinois," said ordinances being as follows:

Chapter.

1. An ordinance relating to amusements.
2. An ordinance relating to animals.
3. An ordinance relating to auctioneers.
4. An ordinance relating to bill posting.
5. An ordinance relating to brewers.
6. An ordinance relating to bridges.
7. An ordinance relating to burial of dead.
8. An ordinance relating to butchers.
9. An ordinance relating to city attorney.
10. An ordinance relating to city collector.
11. An ordinance relating to city contracts.
12. An ordinance relating to city council.
13. An ordinance relating to city engineer.
14. An ordinance relating to city jail.
15. An ordinance relating to city tools and implements.
16. An ordinance relating to clairvoyants.
17. An ordinance relating to corporate seal.
18. An ordinance relating to dogs.
19. An ordinance relating to expressmen.
20. An ordinance relating to ferries.
21. An ordinance relating to fines and penalties.
22. An ordinance relating to fire.
23. An ordinance relating to gasoline.
24. An ordinance relating to hackmen.
25. An ordinance relating to health.
26. An ordinance relating to health regulations.
27. An ordinance relating to ice cream.
28. An ordinance relating to insurance tax.
29. An ordinance relating to levee and landing of boats.
30. An ordinance relating to library.
31. An ordinance relating to licenses.
32. An ordinance relating to maps and plats.
33. An ordinance relating to milk and cream inspection.
34. An ordinance relating to misdemeanors.
35. An ordinance relating to moving picture machines.
36. An ordinance relating to nuisances.
37. An ordinance relating to officers.
38. An ordinance relating to oil inspector.

39. An ordinance relating to ordinances.
40. An ordinance relating to parks and park commissioners.
41. An ordinance relating to pawn shops and junk yards.
42. An ordinance relating to peddlers.
43. An ordinance relating to plumbing board.
44. An ordinance relating to plumbing regulations.
45. An ordinance relating to police.
46. An ordinance relating to popcorn and peanut stands.
47. An ordinance relating to railroads.
48. An ordinance relating to runners.
49. An ordinance relating to salaries.
50. An ordinance relating to saloons.
51. An ordinance relating to scavengers.
52. An ordinance relating to sewerage.
53. An ordinance relating to shoe shining stands.
54. An ordinance relating to sidewalks.
55. An ordinance relating to streets.
56. An ordinance relating to telegraph, telephone and electric light poles.
57. An ordinance relating to theatres and public halls.
58. An ordinance relating to vagabonds.
59. An ordinance relating to wagons.
60. An ordinance relating to wards.
61. An ordinance relating to water works.
62. An ordinance relating to weighers and measurers.
63. An ordinance relating to year.

§ 2. That all public or general ordinances or parts thereof, not included in this revision and the foregoing ordinances, except ordinances granting franchises or rights to corporations, and extensions and limitations of such rights, and ordinances establishing the grades of streets, alleys and avenues, and ordinances making appropriations for public expenditures, and ordinances establishing, altering, widening, contracting or vacating streets, alleys, or avenues, or establishing the width thereof, be and the same are hereby repealed so far as they conflict with the provisions of the

ordinances in this chapter mentioned ; but no fine, forfeiture, penalty, right, action, suit, debt, claim or liability whatsoever created, instituted, incurred, accrued or in any manner arising out of any ordinances hereby repealed shall be released, discharged, annulled, repealed or in any way affected, but may be prosecuted, recovered, enjoined or defended ; or any suit or other proceeding be commenced or completed thereon as fully and in the same manner in all respects as if such ordinances or part thereof has remained in full force. Nor shall any existing term of office or the emoluments thereof be in any wise affected by this appeal.

§ 3. Private ordinances, orders, resolutions and by-laws passed by the City Council are not repealed unless repugnant to the provisions of the foregoing ordinances, and ordinances granting privileges or which expire after a term of years shall not be enlarged or abridged by their want of incorporation herein, but shall cease to be in force at the time and under the conditions as provided in the original ordinance.

Passed August 18, 1910.

Approved: GEORGE W. McCASKRIN, *Mayor*.

Attest: M. T. RUDGREN, *City Clerk*.

Published September 1st, 1910.

PART III.

SPECIAL ORDINANCES

ANNEXATION OF TERRITORY.

An Ordinance to annex certain territory to the City of Rock Island, Illinois.

Preamble.

§ 1. Territory annexed.

WHEREAS, A petition in writing has been presented to the City Council of the City of Rock Island, signed by more than three-fourths of the legal voters, and by the owners of more than three-fourths in value, of the property included within the limits described in the following ordinance, praying that the territory described in said petition be annexed to the City of Rock Island; therefore,

§ 1. Be it ordained by the City Council of the City of Rock Island: That all that tract of land in the County of Rock Island, and State of Illinois, known and described as follows, to-wit:

The northwest quarter of section number six (6) in township number seventeen (17), north of range number one (1), west of the fourth principal meridian, and the west fractional half (south of slough) of section number thirty-one (31), in township eighteen (18), north of range number one (1), west of the fourth principal meridian, be annexed to and become a part of the said City of Rock Island, and said annexed territory is hereby constituted a part of the Fourth Ward of the said City of Rock Island. (Passed November 16, 1872. Pr. Ord. 1874, 194.)

GAS AND GAS PIPES.

An Ordinance authorizing the laying of gas pipes in streets and public places in City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That Thomas B. Davis and Samuel S. Davis, their associates, successors, and assigns be, and they are

hereby authorized to lay iron gas pipes in the avenues, streets, alleys and public grounds in the City of Rock Island, or in any additions to said city hereafter made, for the purpose of furnishing the inhabitants of said city with gas for fuel, power and light. The laying of said pipes to be subject to such reasonable rules, regulations, with reference to the public order, safety and convenience, as may be adopted by the City Council, with reference to the proper and safe use of said streets, avenues, alleys and public grounds, and subject to the supervision of the street and alley committee and street commissioner.

§ 2. The said Thomas B. Davis and Samuel S. Davis, their associates, successors and assigns, shall have the right to make all necessary excavations for the purpose aforesaid, not only to lay the main pipes but to lay all connecting or service pipes to convey gas upon the premises of persons in said city desirous of using the same, and to place in said streets, avenues, alleys and public grounds, all necessary cut-offs and other fixtures that may be needed to operate and control the gas supply. All such excavations to be made with reasonable diligence and dispatch at their expense, doing as little damage as possible in so doing, and to avoid all unnecessary interference with the public use of said streets and other public places; that during said excavations due care shall be exercised to prevent accidents to persons or teams, and the streets, avenues, alleys and other public places where said excavations are made shall, with due diligence, be repaired and restored to as good order and condition, so far as it is practicable, as before the excavation. And in case of neglect on the part of said parties, their associates and assigns, to make repairs said city shall have the right to make the same and collect the cost thereof from said parties.

§ 3. In case hereafter, the said City of Rock Island shall desire to change the grade of any street, avenue, or alley or other public place, or to effect some public improvement and for that purpose to take up or relay the said gas pipes, service pipes, fixtures or otherwise; it shall have the

lawful right so to do at the expense of the said Thomas B. Davis, Samuel S. Davis, their associates or assigns, but before the pipes are taken up or relaid said city shall give the parties aforesaid ten days' notice to do the work desired. If they neglect so to do within the time limited the said city shall have the right to do so at the expense of said parties.

§ 4. The said Thomas B. Davis and Samuel S. Davis, their associates and assigns, shall be liable for any and all damages that any person or persons may suffer by reason of any neglect or want of care on their part, their agents and servants in the exercise of the rights and privileges hereby granted, and they shall save and keep harmless said city from all loss, cost, damage, expense and suits including attorneys' fees by reason of anything done, or suffered to be done, or omitted to be done, in and about the work hereby authorized.

§ 5. The rights and privileges hereby granted, shall be held and enjoyed by the said Thomas B. Davis, Samuel S. Davis, their associates and assigns for a period of twenty years from the passage of this ordinance, but the said city reserves the right to grant unto any other person, persons or company, the same rights and privileges granted by this ordinance, but not to interfere with the proper use and enjoyment of the rights and privileges hereby secured to the above named parties, their associates and assigns.

§ 6. All the provisions of this ordinance are subject to repeal or amendment in the case said Thomas B. Davis and Samuel S. Davis, their associates and assigns shall not within ninety days from the passage of this ordinance, commence the work of laying said pipes in said city.

§ 7. Before any excavations are made or other work done under the authority of this ordinance the said Thomas B. Davis and Samuel S. Davis, their associates and assigns, shall execute and deliver unto the Mayor their bond, payable to said city, in the penal sum of five thousand (\$5,000) dollars, with one or more securities, conditioned that they,

the said Thomas B. Davis and Samuel S. Davis, their associates and assigns, will well and faithfully perform all the obligations imposed upon them by this ordinance. (Passed May 19, 1890. 2 Mss. Ord., 396.)

GRADES OF STREETS.

An Ordinance establishing grades in the streets of the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. The system and plans of general grades for the streets of this city prepared by Special Engineer W. G. Paddock comprising sheets numbered one (1) to nine (9) inclusive, approved by the City Council of March 18, 1889, and filed in the office of the City Clerk of this city, are hereby adopted.

§ 2. Said grades are referred to permanent bench marks, the description, location and elevation of which are given in the book marked "Bench Marks, City of Rock Island," filed in the office of the City Clerk of this city, and these bench marks are adopted as a means of locating the grades specified. The iron stakes, the description, location and approximate elevation of which are given in the same book are not adopted as a means of ascertaining the grades, but shall only be regarded as a convenient means of approximating them.

§ 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. (Passed April 5, 1889. 2 Mss. Ord., 303.)

HENNEPIN CANAL.

An Ordinance granting the United States the right to cut a canal across the public highway on Big Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That the right and authority is hereby granted to the United States to cut, build and construct a canal through and across the public highway which runs north and south on the east end of Big Island, in the town of Milan, in the County of Rock Island, east of the right of way of the Rock Island and Peoria Railroad Company. Provided, that the said United States build and maintain on said highway and on said canal a bridge of such character and dimensions as circumstances require. (Passed October 19, 1891. 3 Mss. Ord., 19.)

LIGHTS.

ROCK ISLAND ELECTRIC LIGHT COMPANY.

An Ordinance granting permission to the Rock Island Electric Light Company and its successors to erect poles and wires in the streets, alleys and public places of the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is given to the Rock Island Electric Light Company of Rock Island, and its successors, to construct and maintain in the public streets, avenues and alleys of the City of Rock Island, a line or lines of wire to be used exclusively for the transmission of electricity for furnishing light and power.

§ 2. Said lines of wire shall be supported by poles composed of wood and iron, the poles to be not less than twenty, nor more than thirty feet high, and to be placed not less than one hundred feet apart.

§ 3. The said lines may be constructed across the streets and alleys of said city, by extending the same over the tops of buildings, provided the owners of such buildings shall consent thereto.

§ 4. All lines constructed by the Rock Island Electric Light Company shall be constructed under the supervision and to the satisfaction of the street and alley committee of the City Council of said city, or such other officer or person as may be hereafter by ordinance prescribed.

§ 5. The privilege hereby granted shall be subject to all general ordinances which are now in existence, or which may hereafter be passed in relation to the erecture, maintenance, continuance or discontinuance of poles or lines, wire or electric conductors in the streets, alleys and public places of said city.

§ 6. This ordinance shall not take effect until the said company shall execute a bond to the said City of Rock Island in the penal sum of seven thousand (\$7,000) dollars, with sureties to be approved by the City Council conditioned to indemnify the City of Rock Island of and from all damages which may be occasioned, or which, in any way may accrue or arise, or grow out of the exercise by said company of the privileges hereby granted, or by the construction of a line or lines of wire used for the transmission of electricity for furnishing light and power. (Passed July 12, A. D. 1882. 2 Mss. Ord., 124.)

MERCHANTS' ELECTRIC LIGHT COMPANY.

An Ordinance authorizing the erection of poles and running wires thereon for electric lights.

Be it ordained by the City Council of the City of Rock Island: § 1. That Thomas B. Davis and Samuel S. Davis, their associates and assigns, be and are hereby authorized to erect and place in the streets, alleys and public grounds

of said city, the necessary poles and wires thereon for furnishing electric lights to the city and its citizens that may wish to use such lights: Provided, that the same be erected and placed under the supervision of the street and alley committee, and maintained in a safe, convenient and substantial manner, and so as to obstruct and interfere as slightly as practicable with other public uses of such streets, alleys and public grounds. (Passed December 15, 1884. 2 Mss. Ord., 172.)

LIGHT AND LIGHT FRANCHISES.

An Ordinance relating to light and light franchises.

WHEREAS, The People's Power Company, a corporation, organized and existing under the laws of the State of Illinois, is the grantee of the Brush Electric Company, the Merchants' Electric Light Company, the Rock Island Gas Company and of Thomas B. and Samuel S. Davis, and of their property in the City of Rock Island, in the County of Rock Island and State of Illinois, their franchises, right of way and privileges, granted to them, its said grantors by and under the ordinances of the City of Rock Island, duly passed by its City Council in their behalf respectively, and

WHEREAS, The said People's Power Company by virtue of said grant is now operating the said franchises and privileges, so granted as aforesaid,

Be it Ordained by the City Council of the City of Rock Island, Illinois:

§ 1. That consent is hereby given by the said City of Rock Island to the transfer and assignment of all rights, franchises and privileges granted to the respective companies above enumerated by the ordinances of said City of Rock Island unto the said People's Power Company, and that said transfer and assignment is hereby ratified and confirmed.

§ 2. That such rights, franchises and privileges shall not in any way be lessened or abridged by reason of such transfer and assignment, but on the contrary such rights, franchises and privileges shall be and they are hereby granted, assured to and confirmed in said People's Power Company, its successors and assigns.

§ 3. That the contract entered into by and between the said City of Rock Island and the Merchants' Electric Light Company for the lighting of the City of Rock Island and the streets thereof, said contract being dated the 30th day of September, A. D. 1893, having been assigned and transferred by said Merchants' Electric Light Company and the rights, duties and obligations agreed upon and stipulated therein, having been assumed by said People's Power Company, the said City of Rock Island hereby consents to said transfer and assignment, and hereby confers to and confirms in said People's Power Company all rights, claims and demands under and by virtue of said contract, and will look to said People's Power Company and hold it responsible for the faithful compliance on its part with the terms, agreements and stipulations of said contract, upon said People's Power Company giving bond in the sum of fifteen thousand (\$15,000) dollars with good and sufficient sureties to be approved by the Mayor.

§ 4. Said People's Power Company shall furnish light to the public of the following standard quality at the following rates:

Gas of not less than 18 candle power, \$2 per 1,000 cubic feet and when bills exceed \$1 and are paid before the 10th of each month, for the previous month's bill, a discount of 25 cents per 1,000 cubic feet will be allowed.

Where 20,000 cubic feet or more is used in any one month by one consumer a discount of fifty cents per 1,000 cubic feet will be allowed for payment as above.

Arc lights of standard 2,000 candle power on yearly contracts and run from—

An hour before sunset till 6:15 p. m. shall not average over \$6 per month.

An hour before sunset till 8:15 p. m. shall not average over \$7 per month.

An hour before sunset till 10:15 p. m. shall not average over \$7.50 per month.

An hour before sunset till 12:15 p. m. shall not average over \$8 per month.

The above prices to apply only when bills are paid before the 10th of each month.

Incandescent lights, one cent (1c.) per amp. by meter, with a discount of twenty-five per cent. (25 per cent.) when bills exceed three dollars (\$3) per month, and are paid before the 10th of each month.

Where bills exceed \$40 per month a discount of thirty-three and one-third per cent. (33 1-3 per cent.) will be allowed for payment as above. All renewal lamps to be furnished by the company without charge.

§ 5. This ordinance shall be in force from and after its passage. (Passed February 26, 1894. 3 Mss. Ord., 146.)

An Ordinance granting permission to the People's Power Company to erect electric lamps, lamp supports, electric light towers, and accessories, in the streets, alleys and public places of the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That permission be and hereby is granted to the People's Power Company of said city, its successors and assigns, to erect, maintain and use electric lamps, lamp supports, electric light towers, and their accessories, in the streets, alleys and public grounds of said city for the purpose of furnishing light to said city: Provided, that the same shall be erected at such places as may be designated by the City Council of said city, and shall, within three months after said company, its successors or assigns, shall cease to furnish such light, be removed by it or them.

§ 2. That the rights and privileges hereby granted are intended, and hereby are declared to be additional to the franchises, and privileges heretofore granted or confirmed by said city in or to said People's Power Company, or its assignors, immediate or mediate; and this ordinance shall not be construed as repealing or impairing any of such rights, franchises or privileges. (Passed April 10, 1899. 4 Mss. Ord., 81.)

An ordinance granting certain rights and privileges to the People's Power Company, its successors and assigns, and fixing the price of electric light and gas.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That permission and the right and franchise be and is hereby granted to the People's Power Company, a corporation, organized and existing under the laws of the State of Illinois, having its principle office in the City of Rock Island, in the said State of Illinois, its successors and assigns, to maintain and operate its electric light and power distributing plant, poles, wires, lamps and accessories, in the streets, avenues, alleys and public grounds of said City of Rock Island for the purpose of furnishing electric light and power to said city and to other consumers therein and in the vicinity thereof, and also to maintain and operate such extensions, betterances and improvements of the same as may be constructed under the powers and authority already existing in said company or which may be hereafter granted to it, or its successors or assigns.

§ 2. That permission and the right and franchise be and is hereby granted to said People's Power Company, its successors and assigns, to maintain and operate its gas distributing plant, mains, pipes, and accessories in the streets, avenues, alleys and public grounds of said City of Rock Island for the purposes of furnishing gas to said city and

to other consumers therein and in the vicinity thereof, and also to maintain and operate such extensions, betterances and improvements of the same as may be constructed under the powers and authority already existing in said company or which may be hereafter granted to it or its successors or assigns.

§ 3. Said People's Power Company, its successors and assigns, shall furnish electricity for lighting to its consumers in said city at not to exceed the following rates, to-wit: for incandescent electric light twenty cents per thousand watts, meter measurements, subject to the following discount, to-wit: on monthly bill of five dollars (\$5.00) or under 33 1-3 per cent; on monthly bills of over five (\$5.00) dollars to fifty (\$50.00) dollars 50 per cent; on monthly bills of fifty (\$50.00) dollars or over 60 per cent; and when monthly bill is paid at office of company on or before the tenth day of the month next following that in which the electricity was furnished, a cash discount of ten per cent (10 per cent.) shall be allowed from the net bill: Provided always, that said company, its successors and assigns, shall be permitted a minimum charge of one (\$1.20) dollar and twenty cents per month for each electric meter, from which minimum charge it shall allow a discount of twenty cents if bill is paid on or before the tenth day of the next following month. For incandescent arc lamps upon yearly contracts: When lamps are burned from an hour before sunset to not later than ten o'clock at night, six (\$6.00) dollars per month per lamp; when lamps are burned from an hour before sunset to not later than twelve o'clock at night, seven (\$7.50) dollars and fifty cents per month per lamp; and when lamps are burned all night, nine (\$9.00) dollars per month per lamp; monthly rates for incandescent arc lamps as above shall be subject to a discount of one (\$1.00) dollar per lamp per month, when monthly bill is paid at the office of the company on or before the tenth day of the month next following that in which the lamps were used; electricity for such arc lamps shall be furnished if the consumer so desires at the meter

rates herein above fixed, plus a net charge of fifty cents per month if one lamp be used and of twenty-five cents per month per lamp, if more than one lamp be used for service and attention. Said company, its successors and assigns, shall renew for its said consumers, without charge, all burned and sixteen and thirty-two candle power incandescent electric lamps when the same bearing the company's mark, are returned unbroken to the company's office. Said People's Power Company, its successors and assigns, shall furnish gas of not less than eighteen (18) candle power to its consumers in said city, at not to exceed the price of one (\$1.25) dollar and twenty-five cents per thousand cubic feet; subject to a discount of ten per cent if monthly bill is paid at company's office on or before the tenth day of the month next following that in which the gas was furnished: Provided always that said company, its successors and assigns, shall be permitted a minimum charge of forty cents per month for each gas meter, from which charge it shall allow a discount of fifteen cents if bill is paid at company's office on or before the tenth day of the next following month.

§ 4. The rights and privileges hereby granted are intended and are hereby declared to be additional to the franchises, rights, and privileges granted to or confirmed in said People's Power Company and this ordinance shall not be construed as repealing or impairing any of such franchises, rights and privileges, excepting to the extent of the change in price for electric light and gas as herein above set forth.

§ 5. This ordinance shall be null and void unless accepted by said People's Power Company and written notice of such acceptance filed with the City Clerk within thirty days after the passage hereof. (Passed February 19, 1906.)

An Ordinance relating to the poles of the People's Power Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the People's Power Company (a corporation organized under the laws of the State of Illinois) shall within three months after the passage of this ordinance, paint all its poles used for the support of its transmitting, or conducting electricity for light and power purposes now erected in the streets, alleys, and public grounds of the said City of Rock Island; said poles shall be painted slate color except the lower five feet thereof, which may be painted black: Provided, however, that any pole in said streets, alleys and public grounds, owned or used jointly, or in common, by said company, and any other company, or companies, may be painted either as aforesaid, or as prescribed by the ordinances of said city relating to the painting of the poles of such other company or companies; all poles hereafter erected in said streets, alleys and public places by said company, its successors or assigns, under authority of said city, for the purposes aforesaid, shall be painted in said manner, within the reasonable time, after erecting. (Passed June 5, 1905.)

MAP OF OUTLOTS.

An Ordinance to authenticate a certain map of the outlots of this city, therein mentioned.

- § 1. Map of outlots dated Sept. 4, 1855.—Made a part of the City Records.
2. Descriptions in map being sufficient.
 3. All assessment lists, tax deeds, etc., to be made in accordance with map.

Be it ordained by the City Council of the City of Rock Island: § 1. That a certain map entitled "Outlots, City of Rock Island," which was made and platted of the date of September 4, 1855, by Amos Stillman, Esq., then county

surveyor for Rock Island County, under and by order of Robert T. Shaw, Esq., then county assessor for said county, and filed in the recorder's office of said county of the date of January 19, A. D. 1856, and now on file in said office, is hereby approved, confirmed and made and declared to be, and the same shall be deemed and taken as a part of the records of this city.

§ 2. That all and singular the several tracts and parcels of real estate, described and numbered in the said map, shall be deemed and held sufficiently described by the numbers, in the said map affixed there to.

§ 3. That all and every assessment list, general or special, heretofore made or hereafter to be made by any assessor of this city, or by any commissioners for the opening of streets, and every tax warrant, order of sale, collector's certificate of tax sale, or tax deed, heretofore made or hereafter to be made, wherein any real estate is or shall be described by the numbers, and descriptions in the said map of outlots used, shall be held, deemed and taken to sufficiently describe the said real estate, to every intent and purpose whatsoever. (Passed March 4, 1858. Pr. Ord., 1874, 262.)

RAILROADS.

CHICAGO AND ROCK ISLAND.

An Ordinance in relation to the Chicago and Rock Island Railroad Company, their depot grounds, etc.

Preamble.

- § 1. Certain grounds granted to said company for depot purposes—company to drain premises when required. Proviso, that if said company abandon the premises, same to revert to city—ordinance—when to take effect.

WHEREAS, the citizens and voters of the City of Rock Island have this day presented to the Mayor and Common Council of said city their petition, praying that said City

Council relinquish to the Chicago and Rock Island Railroad Company for the erection of depot buildings and all other railroad purposes, that portion of Water street, and the levee and ground lying in front of their depot grounds, being in front of blocks 4 and 5 in Spencer & Case's addition to said city; and in case of a want of authority to make such conveyance, to procure as soon as may be, the enactment of such law as will authorize a more perfect conveyance to be made of said above described premises and privileges. And, whereas, it appears that a large majority of the voters of said city have petitioned for the relinquishing of said grounds and privileges to said railroad company. Therefore,

Be it ordained by the City Council of the City of Rock Island: That the Chicago and Rock Island Railroad Company are authorized to lay down any number of tracks and switches which may be necessary for the convenient transaction of their business, across and through any and all streets, alleys and public grounds, both within and north of their depot grounds, located in that part of the City of Rock Island known as Spencer & Case's and Bailey & Boyle's additions to said city, with the further privilege of running tracks and switches into Madison and Front or Water streets, but not to extend them further west than Jefferson street, and to be so laid or constructed as not materially to obstruct the travel and business of said streets, and said railroad company are further authorized and empowered (so far as said city has the power so to do), to use, during the continuance of their charter, all streets and alleys within their depot grounds, and all streets, alleys and public grounds, lying north of and between said depot grounds and the Mississippi river for the purpose of tracks, switches and depot buildings, and all other purposes and uses which may be necessary in carrying on the various operations of their business. Said railroad company shall, at all times on reasonable notice by the city authority, at their own expense, make or cause to be made, through their depot grounds, or the streets and alleys thereof, all necessary

drains which may be required of them, and be necessary for draining the east part of said City of Rock Island and keep the same in good repair at all times. Provided, that if said Chicago and Rock Island Railroad Company abandon and cease to occupy the above premises and privileges for railroad and depot business, that the same shall then revert and belong to said city. This ordinance shall take effect and be in force from and after the assent thereto of the proper officer or officers of the railroad company to be made in writing and filed with the clerk of the city corporation. (Passed August 22, 1853. Pr. Ord., 1874, 346.)

An Act to amend the charter and extend the powers of the Chicago and Rock Island Railroad Company.

Be it enacted by the people of the State of Illinois represented in the General Assembly: § 1. That the preamble and ordinance passed by the City Council of the City of Rock Island, on the twenty-second day of August, in the year of our Lord, one thousand, eight hundred and fifty-three, regulating the depot grounds and tracks of the Chicago and Rock Island Railroad, within said city, be, and the same is hereby legalized, and the said company confirmed in all rights and privileges conferred or intended to be conferred upon it by said ordinance. This act to take effect from and after its passage. (Approved March 1, 1854. Laws 1854. p. 200.)

CHICAGO AND ROCK ISLAND.

An ordinance repealing a part of an ordinance in relation to the Chicago and Rock Island Railroad Company, their depot grounds, etc.

Preamble.

§ 1. Repeals portion of ordinance granting right of way to Chicago and Rock Island Railway Company.

WHEREAS, The City Council of the City of Rock Island, by ordinance, did, on the 22d day of August, 1853, ordain as follows, to-wit:

b.—

[Here last above ordinance is set out in full.]

* * * * *

And, whereas, the said Chicago and Rock Island Railroad Company has never used or occupied any grounds west of the east side of Madison street, but hath hitherto wholly failed to avail itself of the privilege of running tracks and switches into Madison and Front or Water streets, as provided in said ordinance. And, whereas, in the opinion of this City Council it would be detrimental to the interests of said City of Rock Island, for said railroad company to extend its track upon the levee further west than the east side of Madison street, and believing also, that said railroad company, by reason of non-usage, as aforesaid, has abandoned and thereby forfeited all its right to use any grounds west of the east side of Madison street aforesaid, and that the privileges conferred or intended to be conferred by said ordinance thereby revert and belong to the said City of Rock Island. Therefore,

Be it ordained by the City Council of the City of Rock Island: § 1. That so much of the ordinance aforesaid, passed August 22, 1853, as grants to the Chicago and Rock Island Railroad Company, the privilege of running tracks and switches into Madison and Front or Water Streets, west of the east side of Madison street, be and the same is hereby repealed. (Passed February 7, 1859. Pr. Ord., 1874, p. 348.)

CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

An Ordinance granting to the Chicago, Rock Island and Pacific Railway Company the right to build and maintain an additional track along and across certain streets and avenues in the City of Rock Island and for other purposes.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Chicago, Rock Island and Pacific

Railway Company, its successors and assigns, be and hereby are authorized to construct, maintain and operate an additional railway track to the south of its present track, along, over and across that part of road or street formerly called Moline Road or Avenue and now known as Fifth avenue, extending from a point sixty (60) feet west from the west abutment of the "undergrade crossing" where said railway passes over a part of said avenue, eastwardly to the land or right of way now owned and occupied by said railway company, and over and across that part of said Fifth avenue known as the "undergrade crossing" and all the streets and avenues of said city to the east thereof to the city limits, said additional track at no place in said Fifth avenue to be more than thirteen (13) feet distant south from said company's present south track measuring from center to center of said tracks. Said company is also authorized to build and maintain a bridge for said additional track over and across said undergrade crossing, the same to be built and maintained by said company in the same manner and subject to the same condition now provided by Article IX of the contract of October 1, 1879, entered into between said city and said company, the St. Louis, Rock Island and Chicago Railroad Company, the Chicago, Burlington and Quincy Railroad Company and the Moline and Rock Island Horse Railroad Company, and also at its own expense, to build and maintain along the south side of its present embankments at and near said undergrade crossing retaining walls sufficient to support the embankments for such additional track and said additional bridge, the south faces of said walls to even with the south faces of the present stone abutments at said undergrade crossing, the face of such wall on the west side of said crossing to be built on a line extending from the present south face of said west stone abutment to a point in the north line of said Fifth avenue distant sixty (60) feet west therefrom, and the face of such wall on the east side of said crossing to be built on a line extending from the present south face of said east stone abutment to a point five hundred and twenty-eight feet and twenty-

nine one-hundredths of a foot east of said abutment and four feet south of the second line described in article three (3) of said contract of October 1, 1879. (Passed October 19, 1891. 3 Mss. Ord., 20.)

CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

An Ordinance granting to the Chicago, Rock Island and Pacific Railway Company the right to lay down and maintain a switch track.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Chicago, Rock Island and Pacific Railway Company be and hereby is granted the right to lay down, construct, maintain, use and operate in Fifth avenue a switch track, the center line of which is located and described as follows, to-wit: Commencing at a point two hundred and sixty (260) feet east of the east line of Thirty-first street extended and six (6) feet north of the north curb line of said Fifth avenue, and running thence east parallel with said curb line to a point five hundred and five (505) feet east of said east line of Thirty-first street extended, thence by a proper curve to the left to the property of said railway company and from thence to a connection with its main track.

§ 2. That this ordinance shall be in effect from and after its passage. (Passed April 11, 1902. 4 Mss. Ord., 222.)

CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

An Ordinance granting the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, the right to lay a certain additional track across Forty-fifth (45th) and Forty-sixth (46th) streets.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right and authority is hereby granted to the Chicago, Rock Island and Pacific Railway Company, a corporation, its successors and assigns, to lay down, construct, operate and maintain an additional track upon its right of way where the same is crossed by Forty-fifth (45th) and Forty-sixth (46th) streets in the City of Rock Island, the center line of said additional track where it crosses said streets to be distant thirteen (13) feet, northerly, measured at right angles from, and parallel to the center line of the present track which is next north of and distant thirteen (13) feet, northerly, measured at right angles from the center line west bound main track of the railway of said railway company as now located across said streets.

§ 2. For the greater certainty of description of the location of said additional track across said streets, a blue print is attached to this ordinance showing the location of said additional track in white parallel lines, tinted yellow, and the boundaries of the right of way of said railway being shown in white lines tinted red; and the said blue print is hereby made a part of this ordinance.

§ 3 Said railway company shall not by the construction of said track, obstruct any waterway, sewer or gutter, and shall keep said tracks at all times at its own expense, properly planked for the passage of teams, and shall at its own expense, in accordance with specifications to be approved by the City Council, provide sufficient sluiceways, extensions of sewers, or gutters, under said track, and failing to do so, said city shall have the right to construct the same at the expense of said company. (Passed)

ROCK ISLAND AND PEORIA.

An Ordinance concerning the right of way for the Rock Island and Peoria Railroad Company.

- § 1. Rock Island and Peoria Railroad Company permitted to lay down one track through and across certain streets and alleys upon any land procured by them. Proviso, that said company furnish suitable crossings, and further:
2. Said company to use and occupy certain public grounds for depot purposes; proviso.
3. Company may use locomotives within the city limits, rate of speed.
4. Conditions upon which this ordinance to take effect.
5. Said company to be subject to police and other regulations of City Council.
6. Track of said company to be laid down so as not to interfere with business in streets.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is granted to the Rock Island and Peoria Railroad Company to construct, maintain and use one railroad track upon any land from the southern boundary of the aforesaid city, other than the streets and alleys of said city, which they may procure by purchase from the owners or otherwise; and also to lay down said track across and upon any of the following streets, viz.: Delaware; Canal, west of Pike; Pike, north of Canal; Rock River, west of St. Clair; St. Clair, north of Rock River; Orleans, west of Canal; Canal, north of Orleans; Illinois, west of Huron, and Huron, Main, Pearl, Ontario, Exchange, Ohio, Swan, Otter, Beaver, Deer and Elk, and through or along Water street from Pike to Swan street; and through and along said Water street from Swan street to the depot of the Chicago and Rock Island Railroad Company, whenever any such street crosses their intended line of railroad, and also to construct and use all depots necessary to accommodate the business of said company. Provided, that convenient crossings be made by said company, when the track may cross the line of streets running south or in any other direction from the river, and sufficient warning tables be erected at or near said crossing. And, provided further, that from Swan street to the

depot of the Chicago and Rock Island Railroad Company, the said track shall be constructed eighty feet north of the south line of Water street, as far east as Jefferson street; and within said Water street, from thence to said Rock Island depot; and that the said company shall, at no time, have standing upon the railroad tracks between Elk street and the Chicago and Rock Island depot, any of the rolling stock of said company or any other incumbrance; nor shall they at any time have such stock or obstruction standing or placed on any street of said city leading from the river into the city, except for the switches and depot purposes hereinafter mentioned.

§ 2. Said company may also use and occupy all or as much of the public grounds lying on the north line of Water street, and being in front of block three, in the old town of Rock Island, as may be necessary for the switches and depot purposes of said company; and the said company may also use and occupy any and all of the public grounds north of the line of Water street, in front of blocks three, four and five, in the old town of Rock Island, for the construction of all necessary switches, turntables and side-tracks necessary to accommodate the business of said company. Provided, that for the use of the grounds in this section granted, the said company shall, on or before the first day of April, A. D. 1857, pay the aforesaid City of Rock Island the sum of three thousand dollars, and annually thereafter, shall pay to the said city, as rent for said grounds, the sum of two hundred dollars, and said company shall, within sixty days after the passage of this ordinance, remove the building situated on Water street, in front of Elk street, known as the new market house, and fill up the cellar under the same, the material of which said market house is composed to thereupon become the property of said Rock Island and Peoria Railroad Company.

§ 3. Said company may run their trains by locomotives within the limits of the city, at a speed not exceeding five miles per hour, subject to such ordinances as may from

time to time, be passed by the City Council of said city for establishing and regulating speed and motive power within said city.

§ 4. This ordinance shall not take effect until said company shall have entered into a bond, with the City of Rock Island, conditioned for the payment of all damages for which the city may become liable to any person or persons by reason of the said road entering said city, or by reason of said company constructing, laying down, using or occupying said railroad track or tracks, within the said city; and conditioned also for the payment of all damages which may arise to said City of Rock Island, by reason of said company constructing, laying down, maintaining, using and occupying said railroad track or tracks within said City of Rock Island, and also for any loss of life or property, or other injury, that may result from the running of their engines or cars, or transaction of their business within said city.

§ 5. Said company shall be subject to all necessary police and ordinary revenue regulations and restrictions of the said City of Rock Island, and shall not, in any way, obstruct, hinder or interfere with the rights and privileges of said city to the shore or levee, and any other portion of said city for the purposes of levying and collecting wharfage, providing for and regulating the landing and departure of vessels and watercrafts of every name and description whatsoever; and the landing and discharging of cargoes, anything in this ordinance to the contrary notwithstanding.

§ 6. In laying down said tracks in said streets, they shall be so laid down as to interfere with the ordinary travel and uses of said streets as little as possible. (Passed July 14, 1856. Pr. Ord. 1874, p. 349.)

ROCK ISLAND AND PEORIA.

An Ordinance to amend an ordinance entitled, "An ordinance concerning the right of way for the Rock Island and Peoria Railroad Company," passed July 14, 1856.

- § 1. Repeals part of former ordinance giving to Rock Island and Peoria Railroad Company permission to construct and maintain a track on Water street.
- 2. All railroad companies prohibited from running cars on Water street, between Elk street and the Chicago and Rock Island railroad depot.

Be it ordained by the City Council of the City of Rock Island: § 1. That so much of said ordinance as above entitled, which gives permission to the Rock Island and Peoria Railroad Company to construct, maintain and use one railroad track, as relates to that portion of said track lying on Water street, between Elk street and the depot of the Chicago and Rock Island Railroad Company, is hereby repealed.

§ 2. Said Rock Island and Peoria Railroad Company, or any other railroad company, from and after the passage of this ordinance, are hereby prohibited from running passenger or freight cars over all that portion of the track of said road lying on Water street between Elk street and the Chicago and Rock Island railroad depot. (Passed October 26, 1861. Pr. Ord., 1874, p. 352.)

ROCK ISLAND AND PEORIA.

An Ordinance granting privileges therein named to the Rock Island and Peoria Railroad Company.

- § 1. Privilege to transport coal on part of Water street given to Rock Island and Peoria Railroad.
- 2. Restricts privilege to transport of coal.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is granted

to the Rock Island and Peoria Railroad Company, from and after the passage of this ordinance, to transport coal over all that portion of the track of said road on Water street between Elk street and the depot of the Chicago and Rock Island railroad.

§ 2. Said Rock Island and Peoria Railroad Company, from and after the passage of this ordinance, are hereby prohibited from running any other than coal trains on said portion of their road lying on Water street between Elk street and the depot of the Chicago and Rock Island railroad. (Passed October 26, 1861. Pr. Ord., 1874, p. 353.)

ROCK ISLAND AND PEORIA.

An Ordinance vacating the present grounds of the Rock Island and Peoria Railroad Company, and locating and establishing new depot grounds for said company in the City of Rock Island.

- § 1. Vacates depot grounds of Rock Island and Peoria Railroad Company—proviso.
2. Company to maintain track through certain streets, etc.—regulates speed of locomotives—right of city to change line of road on payment to company of \$5,000—access to C., R. I. & P. depot.
 3. Company to have privilege to build switches and sidetracks.
 4. Establishes and locates depot grounds—proviso.
 5. Steamboats, etc., doing a coal business to land at depot grounds without payment of wharfage—other water crafts chargeable therewith.
 6. When ordinance takes effect—proviso.

Be it ordained by the City Council of the City of Rock Island: § 1. That the present depot grounds of the Rock Island and Peoria Railroad Company, in said city, lying north of the north line of Water street, and in front of blocks 2, 3, 4 and 5, of the old town of Rock Island, be and the same are hereby vacated. Provided, however, that said company may continue in the possession and use thereof until such time as the said city shall pay, or cause to be paid, to said company, five thousand dollars for the engine house thereon.

§ 2. Said company may hereafter maintain one track through the streets, alleys and public grounds of said city where the same is now located, and run its trains and locomotives over the same as its business may require, subject, however, to all such reasonable ordinances of a general nature as may, at any time, be in force within the limits of said city, for the prohibition of a greater rate of locomotive speed than five miles per hour; and subject also to the right of said city at any time after said five thousand dollars shall have been paid, to require said company to change the line of its track at any and all points east of Swan street projected north, to such other line as may be designated by the City Council of said city, and as will afford to said company as easy access to the depot grounds of the Chicago, Rock Island and Pacific railroad, as is now enjoyed by said company, the city first paying to said company the reasonable expense of such change.

§ 3. The said company may construct, maintain and use a switch in Water street between block 9 and water block 8 of the Chicago or Lower addition to the City of Rock Island, with a railroad track running therefrom along said street into the depot grounds hereinafter located and established, and said company may also, at any future time, construct, and for the period of ten years from the passage of this ordinance, maintain and use a sidetrack on the south side of its main track, and connected therewith by proper switches between the west line of Eagle street (commonly called East Eagle street) and the east line of Buffalo street projected north, on which side track cars may be left standing for the purpose of selling, unloading and delivering coal, the same to be so located and constructed as to accommodate said business and as to interfere with the ordinary uses of said ground by the public as little as practicable.

§ 4. All those grounds which are included in the following boundaries, to-wit: Beginning at the northern terminus of Ontario street in the Mississippi river and in the west line of said street, and running thence southwardly

with said west line to the present track of said company, thence westwardly with the track of said company to Carroll street, thence northwardly to the southeast corner of water block 7, thence westwardly with the south line of said block to the river aforesaid, and thence up the same with the meanders thereof to the place of beginning, are hereby designated, and shall henceforth be known as the depot grounds of said company, and all the parts of streets and alleys and public grounds within said boundaries may be used by said company and its assigns for switches, side tracks, engine houses and general railroad and depot purposes, which depot grounds hereby designated, located and established, include water blocks 4, 5, 6 and 7, in the Chicago or Lower addition to said city, and those parts of blocks 6 and 7 in said addition, which lie north of the present track of said company; and also all the parts of streets, alleys and public grounds within said boundaries, which parts of streets, alleys and public grounds are hereby vacated for the purposes aforesaid. Provided, however, that the vacation of said parts of said streets, alleys and public grounds shall not take effect until said company shall have acquired the title to all the private property within the boundaries aforesaid and obtained the consent thereto of the proprietors of all the lands and lots (if any such there are) abutting on the part or parts of any street, alley or public ground to be so vacated.

§ 5. All steamboats and water crafts landing at the depot grounds hereinabove established, and doing a coal business merely, shall not be chargeable for wharfage, but the right is hereby expressly reserved to the City Council to charge and collect wharfage on all steamboats and water crafts landing at said depot grounds and doing any other business than a coal business merely. And for the purpose of collecting such wharfage, the proper city officers shall, at all times, have free access to said depot grounds and all parts thereof.

§ 6. This ordinance shall not take effect and be in force unless its acceptance by the said Rock Island and

Peoria Railroad Company shall be signified in writing to the Mayor or City Clerk within ten days from the date of its passage, and not unless the bond, coupons and judgments against the city shall, within thirty days from the date of the passage of this ordinance, be surrendered to the Mayor and cancelled in pursuance and upon the terms of the proposition dated April 20, 1867, and signed by P. L. Cable. (Passed August 24, 1867. Pr. Ord., 1874, p. 353.)

ROCK ISLAND AND PEORIA.

An Ordinance granting right of way to Rock Island and Peoria Railroad Company into and out of Union depot.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is granted to the Rock Island and Peoria Railroad Company to construct and maintain and use an additional railroad track on First avenue in said city, with the necessary and convenient switches thereto and therefrom, which additional track shall commence at a point not further west than the center of block two(2) in Spencer and Case's addition to the City of Rock Island, and run thence east on said avenue to the depot grounds of the Chicago, Rock Island and Pacific Railroad Company. Provided, however, that the north rail of said additional track shall, at no point, be less than sixty feet north from the south line of said avenue; and provided further, that said Rock Island and Peoria Railway Company shall construct and maintain all such convenient crossings over said track, and all such waterways and drains under the same, as may, from time to time, be ordered by the City Council of the City of Rock Island. (Passed May 9, 1878. 2 Mss. Ord., 8.)

ROCK ISLAND AND PEORIA.

An Ordinance concerning the right of way to the Rock Island and Peoria Railway Company to lay down, maintain and operate an additional track through, along and across certain streets and alleys in the City of Rock Island.

WHEREAS, A petition of the owners of land representing more than one-half of the frontage of so much of the following streets and alleys, as are sought to be used for the purpose of the railway track hereinafter mentioned, and in favor thereof has been presented to the City Council of said city.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rock Island and Peoria Railway Company is hereby authorized and empowered to lay down, maintain and operate an additional track for its railway on the following described line, viz.: Commencing in the center line of its present main track in said city, at or near the point where it crosses Seventh street (formerly Pearl street) in said city, and running thence southwestwardly and gradually diverging from said center line, until it reaches a point twelve (12) feet south from it, and thence parallel with said center line, and twelve (12) feet distant at right angles therefrom, to a point at or near the southern extremity of the sidetrack of said railway company at Weyerhaeuser & Denkmann's mill yard, as the same now stands, and thence approaching said center line and reaching it at a convenient distance southwestwardly therefrom; and for that purpose to occupy and cross all streets and alleys in said city laying along or across said line.

§ 2. Said railway company shall construct suitable and necessary crossings at all of such streets and alleys as may be required by the City Council of said city, and connect the same therewith by easy and convenient grades, and shall, on reasonable notice by the city authorities, at all

times, make and keep in good repair the necessary drains and culverts which may be required by the City Council under or along said track, and in or across any of said streets or alleys.

§ 3. In laying down said additional track, in said streets and alleys, it shall be so laid down as to interfere with the ordinary travel and uses of said streets and alleys as little as possible.

§ 4. Said company shall be subject to all necessary police and ordinary revenue regulations and restrictions of the said City of Rock Island; and said company shall, at no time, have standing or placed across any of said streets or alleys leading from the Mississippi river into said city, any rolling stock or obstructions whatever. (Passed November 1, 1880. 2 Mss. Ord., 38.)

PEORIA AND ROCK ISLAND.

An Ordinance concerning the right of way of the Peoria and Rock Island Railway Company.

- § 1. Privilege granted to Peoria & Rock Island Railway Company to construct and maintain a single track on Mississippi street—company to make and maintain crossings and not to obstruct streets.
2. Company to construct sewers if so ordered by City Council.
3. Failure to comply with provisions of ordinance works a forfeiture of rights.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is granted to the Peoria and Rock Island Railway Company to construct, maintain and use one railroad track upon and along Mississippi street in said city, from a point in said street north of and directly opposite to the center point of the north boundary line of block two (2) in the old town, and as near as practicable to the most southern track of the Rockford, Rock Island and St. Louis Railroad Company, as now laid, westerly along said street, and as near as prac-

licable to the said most southern track of the said Rockford, Rock Island and St. Louis Railroad Company, to a point in said street north of, and directly opposite to the center point of the north boundary line of block four (4), in said old town, thence to pass by the shortest practicable line on to the land now owned by the said Peoria and Rock Island Railway Company, north of blocks three (3), four (4), and five (5), in said old town. Provided, that said Peoria and Rock Island Railway Company shall make and maintain convenient crossings, as the City Council of said city shall direct, where the track herein provided for shall cross Elk and Deer streets in said city, and shall, at no time, have standing upon said track, where the same shall cross said Elk and Deer streets, any of the rolling stock of said company, or any other incumbrance or obstruction.

§ 2. In case said City Council shall, at any time hereafter, desire sewers to be constructed under said track, the same shall be constructed by said Peoria and Rock Island Railway Company, at such points as the said City Council shall direct, and in a good and substantial manner, to the satisfaction of said Council, and at the sole expense of said company, and the same shall by them be maintained.

§ 3. The failure of the said Peoria and Rock Island Railway Company to comply substantially with, or the substantial violation by said company, of any of the provisions or restrictions of this ordinance, shall immediately work a forfeiture of any rights to it by this ordinance. (Passed November 27, 1871. Pr. Ord., 1874, p. 363.)

PEORIA AND ROCK ISLAND.

An Ordinance granting permission to the Peoria and Rock Island Railway Company to construct a sidetrack across Mill street, and upon the west side of said street south to the city limits.

Be it ordained by the City Council of the City of Rock Island: § 1. Permission is hereby granted to the Peoria and Rock Island Railway Company to construct, maintain and use a sidetrack to its railroad across Mill street, and upon the west side to said street south to the city limits, for the term of five years from the date of the passage of this ordinance; subject, however, to the following provisions and conditions, to-wit: Said company shall construct and maintain in good repair, substantial plank crossings where said track shall cross the line of streets, and also good and sufficient warning tables at such points. Said company shall at no time leave standing upon said street crossings any of the rolling stock of such company, or any other incumbrance. (Passed May 12, 1875. 1 Mss. Ord., 369.)

USE OF ROUNDHOUSES.

An Ordinance concerning railroad roundhouses.

Be it ordained by the City Council of the City of Rock Island: § 1. That any railroad company owning, occupying or using any roundhouse within the limits of this city, shall so use, occupy and control its business in and about the same, as not to disturb or annoy any congregation using, or occupying, or worshipping in any church edifice on any lot near or adjoining such roundhouse, by the blowing of steam whistles, or the letting off of steam in any manner whatever from locomotive engines or by the ringing of bells or the making of other noises on the Sabbath day or at any other time.

§ 2. For a violation of this ordinance such railroad company shall, on conviction, be fined not less than ten (\$10), nor more than one hundred (\$100) dollars, to be recovered in like manner as a fine for a misdemeanor. (Passed November 7, 1881. 2 Mss. Ord., 64. Published November 10, 11, 12.)

ROCK ISLAND PLOW COMPANY.

An Ordinance authorizing the Rock Island Plow Company to construct and operate a railroad switch across and along Sixth street in said city.

Be it ordained by the City Council of the City of Rock Island: § 1. That there is hereby granted the Rock Island Plow Company the right and authority to construct, maintain and operate a railroad switch upon the following streets of the City of Rock Island: The center line thereof commencing in the line of Rock Island and Peoria Railroad Company's tracks at a point sixty feet east of the east line of Sixth street; thence running west and curving towards the north to a point in Sixth street five feet east of the southeast corner of lot one, water block six of the Chicago or Lower addition to the City of Rock Island; thence north along said Sixth street and five feet east of the east line of said lot one, 154 feet.

§ 2. The track to be laid as provided by this ordinance, shall be laid under the supervision of the superintendent of streets of said city; and said track shall be laid uniform and on a level and proper grade with said Sixth street adjacent to said track; and said Plow Company shall, at its own expense, construct and at all times maintain a proper and convenient crossing over said track where the same crosses Sixth street, of such width as such superintendent of streets shall direct, by planking the same between the rails thereof and placing at least one plank on the outer side of each rail.

§ 3. Said Rock Island Plow Company and the railroad companies using said track shall not at any time permit or allow cars or engines to remain standing on said track south of the south line of said water block six, but shall at all times keep the same free and clear from such standing cars and engines. (Passed September 7, 1885. 2 Mss. Ord., 189.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance concerning the depot grounds and right of way of the Rock Island and Peoria Railway Company.

WHEREAS, The Rock Island and Peoria Railway Company is the grantee of the Rock Island and Peoria Railroad Company, its railroad, railroad property, franchises, right of way and privileges, and is now operating the same and paying the City of Rock Island the annual rent therefor.

Be it ordained by the City Council of the City of Rock Island: § 1. That all the ground which lies north of the north line of First avenue (formerly Water street) in said city, said north line of said avenue being parallel with and eighty (80) feet north at right angles distant from the north lines of blocks three, four and five in that part of said city known as "old town" and bounded on the north by the Mississippi river and on the east by the west line of Fifteenth (formerly Elk) street extended northwardly, and on the west by the east line of Twelfth (formerly Otter) street extended northwardly, be, and the same hereby are granted unto the Rock Island and Peoria Railway Company, its successors and assigns, as grounds for railway purposes. Provided, nevertheless, that nothing herein contained shall be so construed as to in any way lessen or abridge the right of said railway company to maintain and use its main tracks as now located and built through and across said premises, but on the contrary such right is hereby granted and assured to and confirmed in said Rock Island and Peoria Railway Company, its successors and assigns.

§ 2. That for the use of the grounds in the preceding section described, said railway company shall, on or before the first day of April of each year, pay said City of Rock Island the sum of two hundred dollars as heretofore, and shall, on reasonable notice by the city authorities, at its own expense, make or cause to be made through said premises, all necessary drains and culverts that may be re-

quired for the draining of said city, and keep and maintain the same in good repair and shall be subject to all necessary police and health regulation of said city, and shall not in any way improperly interfere with any right or privilege of said city to the use of the shore in front of said premises. Provided, that said railway company may fill in and improve said shore and river front and use the same as part of the premises hereby granted, and provided further, that cars used for transportation of stock or otherwise offensive to the smell, shall not be stored on any track on said premises south of said company's main track through said premises.

§ 3. It is herein expressly provided, however, that nothing herein contained shall in any way interfere with any right the St. Louis, Rock Island and Chicago Railroad Company, or its lessee, the Chicago, Burlington and Quincy Railroad Company, may have in or to any part of the above described premises, or which may now be occupied by them, or either of them, with its sidetrack or tracks.

§ 4. The provisions of this ordinance shall not be in force or take effect unless the said Rock Island and Peoria Railway Company shall, in writing, filed in the office of the City Clerk, within twenty (20) days from the passage hereof, accept the terms and conditions of this ordinance. (Passed August 2, 1886. 2 Mss. Ord., 230.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance granting the Rock Island and Peoria Railway Company the privilege to lay down, maintain and operate a switch track, in the western end of the city.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rock Island and Peoria Railway Company is hereby authorized and empowered to lay down and maintain and operate an additional track for its rail-

way, commonly called a "switch," on the following described line, viz.: Commencing in the center line of its present main track, in said city, at or near the point where Twelfth avenue, in said city, if extended westerly would intersect said main track, and running thence southwesterly along over and across Thirteenth avenue, in said city, to Mill street, in said city, thence across and along said Mill street to the southern boundary of said City of Rock Island.

§ 2. Said railway company shall construct suitable and necessary crossings at all streets and alleys as may be required by the City Council of said city, and connect the same therewith by easy and convenient grades, and shall, on reasonable notice by the city authorities, at all times make and keep in good repair the necessary drains and culverts which may be required by the City Council, under or along said track and in or across any of said streets or alleys.

§ 3. In laying said additional track in or over said streets, it shall be laid down so as to interfere as little as possible with the ordinary travel and use of said streets.

§ 4. Said company, in the use and maintenance of said track, shall be subject to all necessary and ordinary police and revenue restrictions of said City of Rock Island, and shall at no time leave standing or placed across any streets which it crosses or may cross, any rolling stock or obstructions whatever. (Passed May 19, 1890.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance concerning the E. B. McKown track of the Rock Island and Peoria Railway Company.

Be it ordained by the City Council of Rock Island, Illinois. § 1. That the Rock Island and Peoria Railway Company shall have the right to construct, maintain and use a single railroad track over and across Tenth street in

the City of Rock Island. The center line of said track begins at a point in the main track (as now located) of said railroad company, about fifteen feet west of the west line of Tenth street projected into the Mississippi river, and runs thence to the east and south on a proper curve over and across Tenth street and enters lot six (6) of water block one (1) of the Chicago or Lower addition to the City of Rock Island at the west line of said lot.

§ 2. The track to be laid as provided by this ordinance shall be laid under the supervision of the Mayor and street and alley committee of the City of Rock Island.

§ 3. The said company shall make the crossings of said street with said track as easy as practicable and shall plank said crossing and maintain such planking under the supervision of said Mayor and street and alley committee.

§ 4. Said railroad company shall not at any time allow cars or engines to stand on the track constructed under the provisions of this ordinance, but shall keep the same free and clear from such standing engines and cars. (Passed November 2, 1896. 3 Mss. Ord., 401.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance concerning an additional main track for the Rock Island and Peoria Railway Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right, permission and authority be, and they are hereby granted to the Rock Island and Peoria Railway Company, to lay down and construct, either by the readjustment and use of tracks now existing, or by the construction of such additional tracks as shall be necessary, to make said track hereinafter described continuous, and hereafter to maintain, one additional main track adjacent to and thirteen (13) feet distant from (measuring from center to center) the present existing main track of said

Rock Island and Peoria Railway Company, from the east line of Twentieth street in and along First avenue to the west line of Eleventh street, and thence to continue the said additional main track from said last named point across and along the intervening streets, avenues and alleys to the northwesterly line of block seven (7) of the Chicago or Lower addition to the City of Rock Island, and thence from said last named point in and along First avenue to a point opposite the boundary line between lots four (4) and five (5) in water block ten (10) of said last named addition, and to conduct, maintain and use the necessary turnouts, cross-overs, connections and switches to connect said additional main track with the other tracks of said Rock Island and Peoria Railway Company, and with the tracks of all other railroad companies now or hereafter laid adjacent thereto; for further certainty of description of the said line a map or plat is hereto attached and made part of this ordinance, on which the track herein authorized to be constructed and maintained is shown by the parallel lines colored red.

If it shall be necessary in the construction of the additional main track herein authorized to locate the same or any part thereof in or along the location now occupied by any tracks of the Chicago, Burlington and Quincy Railroad Company, the right herein granted to construct so much of said additional track as shall need to be constructed upon and along the present location of such tracks of said Chicago, Burlington and Quincy Railroad Company shall be subject to the consent and permission of said last named company.

§ 2. Whenever said track shall be laid across or on any street or alley, said track shall be constructed at such a grade as not to obstruct the use of such street or alley for travel thereon, and said company shall at all times keep said track and space between the rails thereof properly planked or paved as ordered by the City Council, and in case of the failure or refusal of said company to maintain said crossing as aforesaid, the City of Rock Island

shall have the right to have the same planked or paved, or place the same in condition so as not to obstruct travel on any such street or the extension thereof and charge the expense of the same to said Rock Island and Peoria Railway Company.

§ 3. Said company shall, in the construction of said track not hinder or obstruct any waterway, sewer or gutter, but shall provide in accordance with specifications approved by the City Council, sufficient sluiceways, extensions of sewers or gutters at its own expense, and if said company fails so to do the city shall have the right to construct the same at the expense of the said company.

§ 4. Said company, in the operation of its trains on said track shall be subject to such ordinances as may from time to time be passed by the City Council of said city for the establishing and regulating speed and motive power within said city, and said company shall be subject to all the necessary police and ordinary revenue regulations and restrictions of the said City of Rock Island, and shall not in any way hinder, obstruct or interfere with the rights or privileges of the said city to the shore or levee or any other portion of said city for the purpose of levying and collecting wharfage, providing for and regulating the landing and departure of vessels and water craft of every name and description whatever and landing and discharge of cargoes, anything in this ordinance to the contrary notwithstanding.

§ 5. Said company shall not at any time have standing upon said additional main track, or on its first or original main track any of the rolling stock of said company, or any other incumbrance for any unreasonable length of time, and said company shall not use either of said tracks for the storage of cars.

§ 6. Provided that any other railroad or railroads that are or may hereafter be constructed or which may hereafter seek a right of way through said city shall have equal privileges on the main track to be constructed by vir-

tue of this ordinance by paying a proportional part of the cost of making and maintaining the same, and all such railroad companies which may operate under and take advantage of this section including the said Rock Island and Peoria Railway Company shall be required to run their trains by time tables which do not conflict and make all other necessary arrangements for joint operation. (Passed April 25, 1898. 4 Mss. Ord., 51.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance providing for an additional main track for the Rock Island and Peoria Railway Company, and concerning certain tracks and the engine house of said company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. The Rock Island and Peoria Railway Company is hereby granted the right to lay down, construct, use and maintain, one additional main track north of and adjacent to, and thirteen feet distant from (measuring from center to center) the present existing main track of said company, the line of said additional main track to extend from the east line of Twentieth (20th) street to the west line of Eleventh (11th) street; thence southwesterly from said west line across and along the intervening streets, avenues, alleys, and public grounds to a point in First avenue at or near the boundary line between lots four (4) and five (5) in water block ten (10) in the Chicago or Lower addition to the City of Rock Island, with the right to lay down, construct, maintain and use all necessary or convenient tracks, turn-outs, cross-overs, connections and switches; to connect said additional main track with the other existing tracks of said railway company, and with the tracks of all other railroad companies now or hereafter to be laid adjacent thereto; said connecting tracks to

be laid down under the direction and supervision of the Mayor and street and alley committee of the City Council. Provided, however, that nothing in this section contained shall be construed as annulling or effecting any rights or privileges heretofore granted by ordinance or resolution to the Rock Island and Eastern Illinois Railway Company, and the Davenport and Rock Island Bridge Railway and Terminal Company, except any right or privilege heretofore granted said last named company, to construct and maintain a railroad track on and over the streets, alleys, avenues and public grounds of said city west of the east line of Twelfth (12th) street and south of a line twenty-one feet north of and parallel with the center line of the existing main track of said Rock Island and Peoria Railway Company.

If it shall be necessary in the construction of the additional main track herein authorized to locate the same, or any part thereof, in or along the location now occupied by any tracks of the St. Louis, Rock Island and Chicago Railroad Company, or its lessee, the Chicago, Burlington and Quincy Railroad Company, the right hereby granted to construct so much of said additional track as shall need to be constructed upon and along the present location of the tracks of said St. Louis, Rock Island and Chicago Railroad Company, or its lessee, the Chicago, Burlington & Quincy Railway Company, shall be subject to the consent and permission of said last named companies.

§ 2. Said additional main track shall be constructed and maintained at such grade that it will not materially obstruct the use of any street or alley for travel thereon. The space between the rails of said additional main track and the existing main track of said Rock Island and Peoria Railway Company, at public crossings, shall be properly planked or paved from the west line of East Seventeenth street to the east line of Nineteenth, as ordered by the City Council; and in case of the failure or refusal of said Rock Island and Peoria Railway Company to maintain, pave or plank said crossings as aforesaid, the City of Rock

Island may have the same planked or paved, and charge the expense of the same to the company. Nor shall said company, by the construction of said additional track, obstruct any waterway, sewer or gutter. It shall also provide, in accordance with specifications approved by the City Council, sufficient sluiceways, extension of sewers or gutters, across said additional track, at its own expense, and if said company fails so to do, the city shall have the right to construct the same at the expense of the company.

In the operation of its trains on said additional track, said company shall be subject to such general ordinances as may at any time be passed by the City Council for establishing and regulating the speed of the motive power within said city.

Said company shall also be subject, in the use of said additional track, to all reasonable and necessary police and revenue regulations and restrictions which shall be established by the city.

The rights and privileges and all riparian rights of the city to the shore and levee or any portion thereof, for the purpose of levying and collecting wharfage and for regulating the landing and departure of vessels and water craft of every kind and the loading and discharge of cargoes from vessel shall not be obstructed, hindered or interfered with.

§ 3. Said company shall not at any time use said additional track or the existing original track of said company for the storage of cars or for any other purpose except such purpose or purposes as are common to the use of main tracks by railroads.

§ 4. The said Rock Island and Peoria Railway Company, its successors and assigns, shall, in addition to its present existing main track, have the right to maintain and forever use in the location where the same severally now exist, all railway tracks, coal chutes, buildings and other appurtenances of its railway now existing and used by said company in, across, along or upon the streets, alleys, avenues and public grounds of said city or any part thereof, and the right so to do is hereby granted by said city unto

said Rock Island and Peoria Railway Company, its successors and assigns.

It is understood and agreed, however, that that portion of the most southerly track of said Rock Island and Peoria Railway Company which lies north of blocks three (3) and four (4), old town, in said City of Rock Island shall be readjusted and relocated so that the distance from the north line of said blocks three (3) and four (4) to the nearest portion of said track as relocated, shall be not less than thirteen (13) feet greater than is the distance to the nearest portion of said track as at present located, and that any railway company now having a right of way, or any railway company that may hereafter acquire a right of way in this city, shall have the right to cross the said track, has been granted, or may hereafter be granted said railway company by the City Council.

§ 5. On the acceptance of this ordinance by the Rock Island and Peoria Railway Company as herein provided for, and the payment to said company of the sum of five thousand (\$5,000) dollars and the further sum of the fair present value of the filling and embankment on which are now located and laid the two most northerly side-tracks of said Rock Island and Peoria Railway Company, extending from a point at or near the east line of Twelfth street to a point at or near the west line of Fifteenth street in said city, said last named railway company will on or before October 15th, A. D. 1898, remove its two most northerly side-tracks above mentioned, and its engine house, near the eastern extremity thereof, so as to permit the location and construction of the two parallel main railway tracks mentioned in a certain resolution of the City Council of said city, passed April 22d, 1898.

§ 6. In case of failure to agree upon the fair present value of said filling and embankment as above provided, then the value thereof shall be determined by appraisement, the said Rock Island and Peoria Railway Company and the Davenport and Rock Island Bridge, Railway and Terminal Company, each to choose one appraiser and the

Mayor of said city to act as the third appraiser. The written determination of the majority of the said appraisers as to the value of the filling and embankment shall be final and conclusive upon all parties.

§ 7. Nothing in this ordinance contained shall be so construed as to release or discharge the said Rock Island and Peoria Railway Company from the payment of the annual rental provided for in certain ordinance passed August 2, 1886, and entitled, "An Ordinance Concerning the Depot Grounds and Right-of-way of the Rock Island and Peoria Railway Company."

§ 8. This ordinance shall be in full force and take effect upon the filing within fifteen days from its passage, in the office of the City Clerk, by said Rock Island and Peoria Railway Company, of its written acceptance thereof. (Passed July 6, 1898. 4 Mss. Ord., 56.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An ordinance whereas the Rock Island and Peoria Railway company now owns and is maintaining and holding and operating certain railroad tracks, and has the right to lay down, construct, maintain and use certain additional tracks on First avenue, and the public grounds in the City of Rock Island, between Eleventh and east Seventeenth streets, and any and all intervening streets, alleys and public grounds under an ordinance passed July 6, 1898, and prior ordinances passed by the City Council of said city, and

WHEREAS, The St. Louis, Rock Island and Chicago Railroad Company now owns, and by its lessee, the Chicago, Burlington and Quincy Railroad Company, is holding, maintaining and operating certain other railroad tracks on said First avenue and said public grounds, in said city, between said Eleventh street and the east line of east

Seventeenth street, and across any and all intervening streets, alleys and public grounds in said city, under an ordinance of said city passed April 24, 1879, and other ordinances passed by the City Council of said city, and

WHEREAS, It has been found by said respective railroad companies that it is for the advantage of each of said companies to exchange with each other certain of said tracks within said limits, and to change the location of certain of their tracks, and especially the westerly end of the two main tracks of said St. Louis, Rock Island and Chicago Railroad Company, and said Chicago, Burlington and Quincy Railroad Company, such exchange and change of location to be subject to the approval of the City Council of said city, and

WHEREAS, The said proposed changes and exchanges will result in the readjustment and relocation of the most southerly track in said First avenue, as contemplated by said ordinance of July 6, 1898, and will result in advantage to said city; the said proposed changes of location and exchanges are hereby approved and ratified by the City Council of said city, and in order to fully effectuate, ratify and confirm said proposed changes and exchanges, therefore,

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right, title and ownership of each and all of the rights of way upon which the following tracks in this section described are or may be located, to-wit: A side track, the center line of which begins at a point one hundred and fourteen (114) feet northerly from the south line of said First (1st) avenue and forty (40) feet westerly from the west line of West Seventeenth (17th) street, extending and running thence westerly on a curve to the left to a point one hundred and forty (140) feet westerly from the west line of Sixteenth (16th) street extended, and one hundred and forty-nine and five-tenths (149.5) feet in a northerly direction from the said south line of said First (1st) avenue; thence westerly and parallel to said south line of said First (1st) avenue to a point one hundred and nine (109) feet easterly from the west line of

Fifteenth (15th) street extended; thence south-westerly and parallel to the thereafter described turnout switch track described in section two (2) hereof, and thirteen (13) feet distant therefrom in a southerly direction, measuring center to center, to a point two hundred (200) feet easterly from the west line of Fourteenth (14th) street extended, and one hundred and thirteen and five-tenths (113.5) feet distant in a northerly direction from the said south line of said First (1st) avenue; thence westerly and parallel to said south line of said First (1st) avenue to a connection in the west line of Thirteenth (13th) street extended, with a switch track now laid, maintained, used and operated by said Rock Island and Peoria Railway Company.

A switch track, the center line of which begins at a point in the center line of the last above described side-track and forty-six (46) feet distant in a westerly direction from the west line of said Fifteenth (15th) street extended; thence running westerly on a curve to the right to a point one hundred (100) feet distant in a westerly direction from the west line of said Fifteenth (15th) street extended; thence westerly parallel to and one hundred and twenty-five and five-tenths (125.5) feet distant from, in a northerly direction, said south line of said First (1st) avenue to a connection with a side-track of the said Rock Island and Peoria Railway Company hereinafter described in section two (2) hereof, thirty (30) feet easterly from the west line of said Fourteenth (14th) street extended.

A connecting side-track, the center line of which begins at a point in the west line of said Fifteenth (15th) street extended and eighty-one (81) feet distant in a northerly direction from the said south line of said First (1st) avenue and running thence westerly on a curve to the right and a curve to the left to a connection with a switch track, hereinafter described at a point two hundred (200) feet easterly from the west line of said Fourteenth (14th) street extended and one hundred and thirteen and five-tenths (113.5) feet distant in a northerly direction from the said south line of said First (1st) avenue.

A track, the center line of which begins at a point in the west line of said Fifteenth (15th) street extended eighty-one (81) feet distant in a northerly direction from the said south line of said First (1st) avenue and running thence westerly on a curve to the left to a point forty (40) feet in a westerly direction from the west line of said Fifteenth (15th) street extended, and running thence westerly parallel to and eighty-six (86) feet distant in a northerly direction from the said south line of said First (1st) avenue to a point eight-five (85) feet westerly from the west line of said Fourteenth (14th) street extended.

A track, the center line of which begins at a point in the west line of said Fifteenth (15th) street extended seventy (70) feet northerly from the said south line of said First (1st) avenue, and running thence westerly on a curve to the left to a point thirty-eight (38) feet westerly from the west line of said Fifteenth (15th) street extended; and seventy-four (74) feet northerly from the said south line of said (1st) avenue, thence westerly and parallel to said south line of said First (1st) avenue, to a connection with a track now laid, maintained, used and operated by said Chicago, Burlington and Quincy Railway Company, at a point one hundred and fifty (150) feet westerly from the west line of said Fourteenth (14th) street extended: Are hereby vested in, shall belong to, and the tracks thereon shall be maintained, operated and held by the said St. Louis, Rock Island & Chicago Railroad Company and its lessee, the Chicago, Burlington & Quincy Railroad Company, their successors and assigns, and the consent of said City of Rock Island to said proposed changes and exchanges is hereby given and granted and the right, title and ownership of the said Rock Island and Peoria Railway Company in and to the said described tracks and rights of way upon which the said tracks, in this section described, are laid or may be laid, are hereby declared to be transferred to and legally and completely vested and established in said St. Louis, Rock Island and Chicago Railroad Company, and its lessee, the Chicago, Burlington and Quincy Railroad Company, and

said proposed changes and exchanges are hereby ratified and confirmed; and said last named companies shall have the right hereafter to use each and all of said tracks and rights of way as herein contemplated as their own property, with all the rights heretofore granted by said city to, or held by, said Rock Island and Peoria Railway Company therein and thereto.

Provided, however, that the Rock Island and Eastern Illinois Railway Company shall retain the same interest in the said last two above described tracks as it now owns or possesses before the enactment of this ordinance, by reason of an ordinance dated February 9, A. D. 1898, passed by the City Council of the City of Rock Island, Ill.

§ 2. That the right, title and ownership of each and all of the rights-of-way upon which the following tracks, in this section described, are or may be located, to-wit:

Two parallel main railway tracks, the center lines of which are thirteen (13) feet apart, the center line of the southerly one of which begins at a point in the center line of the present first or original main track of said Rock Island and Peoria Railway Company, where said last mentioned center line intersects with the east line of East Seventeenth (17th) street extended, said point of intersection being eighty-four (84) feet northerly from the south line of First (1st) avenue; thence running westerly from said last named point by a curve to the left to a point one hundred and seventy-five and five-tenths (175.5) feet northerly from the south line of said First (1st) avenue and one hundred and forty (140) feet westerly from the west line of Sixteenth (16th) street extended; thence westerly on a tangent and parallel to said south line of said First (1st) avenue to a point one hundred and ninety-seven (197) feet easterly from the east line of Twelfth (12th) street extended; thence westerly on a curve to the left and a curve to the right to a point in the present or original main track of said Rock Island and Peoria Railway Company one hundred and forty-nine and five-tenths (149.5) feet in a northerly direction from the said south line of First (1st) avenue d.—

and fifteen (15) feet westerly from the west line of Twelfth (12th) street extended.

A side track, the center line of which begins at a point in the center line of said southerly main track two hundred and nine (209) feet easterly from the west line of Fifteenth (15th) street extended, and running thence westerly on a turnout curve to the left and right to a point thirteen (13) feet distant, measuring center to center, from the southerly one of said main railway tracks, and sixty (60) feet easterly from the west line of Fifteenth (15th) street extended; thence westerly parallel to said south line of said First (1st) avenue, and one hundred and sixty-two and five-tenths (162.5) feet distant in a northerly direction therefrom to a point one hundred and sixty-three (163) feet westerly from the west line of Thirteenth (13th) street extended; thence by a turnout curve to the left and right to a connection with said first or original main track at a point three (3) feet westerly from the east line of Twelfth (12th) street extended.

A side track, the center line of which begins at a point in the turnout curve of the last above described side track one hundred and sixteen (116) feet easterly from the west line of Fifteenth street extended; thence southwestwardly on a tangent to a point twenty (20) feet easterly from the west line of said Fifteenth (15th) street extended; thence on a curve to the right to a point forty-six (46) feet westerly from the west line of said Fifteenth (15th) street extended, and one hundred and forty-nine and five-tenths (149.5) feet northerly from the south line of said First (1st) avenue; thence westerly north of and parallel to said south line of First (1st) avenue to a point fifteen (15) feet westerly from the west line of Twelfth (12th) street extended.

The location of the last above described side track is identical with the location of the first or original main track of said Rock Island and Peoria Railway Company as now used, maintained and operated.

A connecting switch track, the center line of which begins at a point in said last above described track twenty

(20) feet easterly from the west line of Fifteenth (15th) street and runs thence southwesterly to a connection with a side track now used, maintained and operated by said Rock Island and Peoria Railway Company; thence continuing southwesterly on a tangent and on a curve to the right to a point one hundred and twenty-five and five-tenths (125.5) feet distant in a northerly direction from the said south line of said First (1st) avenue and two hundred and ten (210) feet westerly from the west line of Fifteenth (15th) street extended, to connect with a track of the St. Louis, Rock Island and Chicago Railroad Company, Chicago, Burlington and Quincy Railroad Company, lessee, hereinbefore described in section one (1) hereof.

A switch track, connecting with a side track of the said last named companies hereinbefore described in section one (1) hereof, the center line of which begins at a point thirty (30) feet easterly from the west line of Fourteenth (14th) street extended and one hundred and twenty-five and five-tenths (125.5) feet in a northerly direction from the said south line of said First (1st) avenue, and running thence from the said last mentioned point of connection westerly and parallel to said south line of said First (1st) avenue a distance of two hundred and sixty (260) feet to a connection with a side track of said Rock Island and Peoria Railway Company now laid, maintained, used and operated by said last named company: Are hereby vested in, shall belong to, and the tracks thereon shall be maintained, operated and held by the said Rock Island and Peoria Railway Company, its successors and assigns, and the consent of the said City of Rock Island to said proposed changes and exchanges is hereby given and granted, and the right, title and ownership of the said St. Louis, Rock Island and Chicago Railroad Company, and its lessee, the Chicago, Burlington and Quincy Railroad Company, in and to said described tracks, and the rights of way upon which the said tracks in this section described, are laid or may be laid, are hereby declared to be transferred to, and legally and completely vested and established in said Rock Island and Peoria Rail-

way Company, and said proposed changes and exchanges are hereby ratified and confirmed; and said last named company shall have the right hereafter to use each and all of said tracks and rights of way as herein contemplated, as their own property, with all the rights heretofore granted by said city to, or held by said St. Louis, Rock Island and Chicago Railroad Company, and its lessee, the Chicago, Burlington and Quincy Railroad Company, therein and thereto.

§ 3. Said companies shall not at any time use the tracks herein designated as main tracks, for the storage of cars or for any other purpose except such purpose or purposes as are common to the use of main tracks by railroads; and all other tracks herein described shall be used for such purposes as are common to the use of sidetracks, turnouts, cross overs, connections and switches, and all of said tracks shall be operated and maintained in other respects subject to all limitations, restrictions and burdens imposed upon said respective companies in and by said original ordinances conceded to and vesting in them the rights aforesaid. (Passed December 19, 1898. 4 Mss. Ord., 69.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An ordinance granting to the Rock Island and Peoria Railway Company the right to construct a railway switch track across First (1st) avenue.

Be it ordained by the City Council of the City of Rock Island, Illinois. § 1. That the right is hereby granted to the Rock Island and Peoria Railway Company, its successors and assigns, to lay down, construct, maintain, use and operate a railway switch track across First (1st) avenue in the City of Rock Island, the center line of which is described as follows: Beginning at a point in the northerly line of lot three (3), block three (3), of Spencer and Case's

addition to the City of Rock Island, seven and one-half ($7\frac{1}{2}$) feet from the northwest corner of said lot, and running thence by a proper curve to the northwest to a connection with a track of said railway company, said last mentioned track being the most southerly one in front of said block three (3).

§ 2. Said track shall be laid under the supervision of the Mayor and street and alley committee of said city, and said railway company shall at all times maintain the same at a proper grade, and keep planked the space between the rails and the spaces for a distance of one and one-half ($1\frac{1}{2}$) feet outside the rails of said track.

§ 3. Said railway company shall at no time permit its cars or locomotives to stand upon said track or to obstruct said First (1st) avenue. (Passed October 16, 1899. 4 Mss. Ord., 113.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An ordinance concerning levee improvement at the expense of the Rock Island and Peoria Railway Company and the granting of a right to said company to lay a coal dump track, and providing for the lease by the city, to said company of a portion of the levee for the exclusive use thereof for certain purposes.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Rock Island and Peoria Railway Company is hereby authorized and empowered to improve all that part of the levee in front of said city which lies north of the existing railway tracks and the railway track herein granted to be laid and south of a line drawn from the northeasterly point of said levee as now improved (which point is in Nineteenth street extended) to a point in the east line of Twentieth (20th) street extended one hundred and forty-three (143) feet distant northerly from

the south line of First (1st) avenue extended, by putting in a toe wall of stone along the last above described line, and by filling in and macadamizing such part of said levee as lies south of said last described line. Said company shall, at its own expense, construct, extend and hereafter maintain the sewers across said levee at Nineteenth and Twentieth (19th and 20th) streets; said work to be done at the expense of said railway company under the direction of the Mayor and street and alley committee of said city and in accordance with a plan which is hereto attached and made part hereof, showing the elevations of said levee as it now exists, and as it is proposed to be improved, the existing tracks and the track for which the right to lay is herein granted and the boundaries of that part of said levee herein described, provided, however, that said improvement be completed within eighteen (18) months from the date of the acceptance of this ordinance hereinafter provided for.

§ 2. That upon the completion of said levee improvement as herein provided, permission be and hereby is granted to said Rock Island and Peoria Railway Company to lay down, construct, operate and maintain one coal dump track on said levee, the location of said track being more particularly described as follows, to-wit: Commencing at a point in the center line of the northerly or second main track of said railway company at a point twenty-five (25) feet west of the west line of Nineteenth street extended, and running thence northeasterly by a curve to the left and a curve to the right to a point in the east line of Nineteenth street extended, twenty-six (26) feet distant northerly from the center line of the said northerly or new main track of said railway company; thence easterly and parallel with the center line of the said last mentioned track to a connection in Twentieth street extended, with the existing tracks of said railway company; provided, however, anything herein to the contrary notwithstanding said track shall in no way disturb nor be placed on that part of said levee now improved.

§ 3. That the said railway company, its successors and assigns, is hereby granted for a period of twenty-five (25) years next after the passage of this ordinance the exclusive privilege of using and occupying said portion of said levee so improved for the purpose of storing and shipping coal and the delivery thereof to steamboats or other water craft on the Mississippi river adjacent thereto, and is also granted the right to construct and maintain on said portion of said levee three (3) movable coal platforms not exceeding thirty-eight (38) feet in length and sixteen (16) feet in width, together with the necessary appliances and carrying rails to move and carry said platforms back and forth between the north and south sides of said portion of said levee; provided, however, that neither said railway company nor any person nor corporation shall be permitted by said city to lay down, maintain or operate any railway track or tracks upon said portion of said levee, other than the track provided for in this ordinance, and that no person or corporation shall be permitted by said city to erect any structures or place any obstructions upon said portion of said levee that will interfere with said purpose of storing, shipping and delivering coal and the moving across said levee of said movable coal platforms.

§ 4. Nothing in this ordinance contained shall be construed as in any way abridging or restricting the right of said city to control the landing of steamboats or other water craft at said levee, or the right to the collection of wharfage from said boats or water craft, or as to prohibiting the use of such levee for the landing or deposit for shipment of articles of merchandise other than coal, by persons or corporations other than the Rock Island and Peoria Railway Company. On the contrary, it is the express intention of said city and said railway company to encourage river traffic and the landing and embarkation of passengers and freight over said portion of said levee.

§ 5. That for and in consideration of the grants and privileges herein contained, the said railway company, its

successors and assigns, shall pay to the City Clerk of said city during the month of April of each and every year after the passage and acceptance of this ordinance for twenty-five (25) years, the sum of one dollar (\$1) as rental.

§ 6. This ordinance shall take effect upon the filing in the office of the City Clerk of said city within thirty (30) days after the passage thereof, by said railway company, its written acceptance of this ordinance, and after said acceptance is filed, this ordinance and said acceptance shall have the force and effect of and be a contract between said city and said railway company, its successors and assigns. (Passed March 5, 1900. 4 Mss. Ord., 121.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance granting to the Rock Island and Peoria Railway Company the right to lay and maintain a switch track in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the Rock Island and Peoria Railway Company, its successors and assigns, is hereby granted the right to lay down, maintain and operate in the City of Rock Island a switch track, the center line of which is located and described as follows: Beginning at a point in the center line of one of said company's tracks as it is now located at a point about forty feet distant, westerly from the northeast corner of block twenty-six of the Chicago or Lower addition to said city, and running thence by a proper curve to the right in a northeasterly direction to a point eighteen and one-half feet distant southerly from the south line of block eight of said addition to said city, and from thence easterly upon and along Third avenue parallel with and eighteen and one-half feet distant southerly from the north line of said avenue to the west line of Fourth street, thence by a proper curve to the left and right

to a point in said Third avenue one hundred feet east of Fourth street, and eight feet south of the north line of said avenue, thence east parallel with and eight feet distant, southerly from the north line of said Third avenue to the west line of Fifth street.

§ 2. This ordinance shall be in effect from and after its passage and approval. (Passed April 21, 1902. 4 Mss. Ord., 223.)

ROCK ISLAND AND PEORIA RAILWAY COMPANY.

An Ordinance granting the Rock Island and Peoria Railway Company for the use of the Standard Table Oil Cloth Company and Hugh E. Curtis and their assigns, the right to construct a switch track on Mill street in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rock Island and Peoria Railway Company is hereby granted the right to build, maintain and operate a single railroad track across and along Mill street, the center line of which shall run as follows, namely: from a point in the east line of Mill street one hundred thirty-two and eight-tenths (132.8) feet south from the south line of Thirteenth avenue; thence curving to the south and west with a radius of four hundred and forty and eight-tenths (440.8) feet to a point in Mill street seven and one-half ($7\frac{1}{2}$) feet at right angles southeasterly from the west line of Mill street, to a point in said west line distant three hundred nineteen and four-tenths (319.4) feet measured along said west line of said Mill street south from the intersection of the west line of Mill street with said south line of Thirteenth avenue extended west; thence running southwardly parallel with the west line of Mill street six hundred (600) feet; also extended from said point above mentioned seven and one-half ($7\frac{1}{2}$) feet east of the west line

of Mill street in a northerly direction parallel with said west line of Mill street to the south line of the land occupied by Kahlke Brothers for their boat yard.

§ 2. That the right of way above granted, except so much of the northerly extension as above described as lies opposite said Standard Table Oil Cloth Company's abutting property, shall be for use for main switch track for the purpose of reaching the unloading track of the Standard Table Oil Cloth Company provided for in section three (3) of this ordinance, and for the use of said Standard Table Oil Cloth Company in connection with their premises abutting on Mill street and for the use of Hugh E. Curtis, his heirs and assigns, as owner of land abutting on said Mill street.

§ 3. That so much of the right of way hereinabove granted in Mill street parallel with the west line thereof and opposite said Standard Table Oil Cloth Company's abutting property shall be for the exclusive use of the Standard Table Oil Cloth Company as an unloading track appurtenant to said premises.

§ 4. Where said track crosses Mill street a proper plank crossing shall be provided not less than twenty-four (24) feet in width with approaches on both sides of it of like width, and with a slope or rise of not more than one foot in height to a seven foot base.

§ 5. That said Hugh E. Curtis, his heirs and assigns, shall have the right to construct and maintain a ditch, culvert or drain with tile pipe or other material across Mill street from a point on the east side thereof distant five (5) feet south from its intersection with the south line of Thirteenth avenue and thence running at right angles with the west line of Mill street, over, across and under said Mill street to the west line thereof, the same to be covered in, etc., so as to provide the proper crossing thereover for the whole width of Mill street. (Passed May 28, 1902. 4 Mss. Ord., 226.)

ROCKFORD, ROCK ISLAND AND ST. LOUIS.

An Ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company.

- § 1. Grants right to R., R. I. & St. L. R. R. to construct and maintain a double track through certain streets—proviso.
2. Designates and locates depot grounds—proviso—company to pay city \$200 per year for use of the ground.
3. Company to keep its track ballasted, conform to the city grade, maintain crossings in good order, etc.
4. Trains not to run at a greater speed than five miles per hour in city limits.
5. Company to be subject to all necessary police and revenue regulations of the council—not to interfere with the collection of wharfage, landing of boats, etc.
6. Company responsible for all damages arising from construction of road and running of trains.
7. Failure to comply with provisions of ordinance works a forfeiture of rights.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rockford, Rock Island and St. Louis Railroad Company shall have the right to construct, maintain and use a double track in and through the highway, commencing on a line with the east side of the street projected northward west of P. L. Cable's residence, and thence westward through the public highway to the east end of Illinois street; thence on the north side of Illinois street to Madison street; thence along and across Madison street to block three (3) in Spencer & Case's addition to said city, thence across the alley in said block three (3) in said addition, across Jefferson street; thence along Jefferson street to Mississippi street; thence along Mississippi street to the west end thereof; across Ohio street; across Ontario street into Water street; thence along Water street to Pike street; thence southward through Pike street to the southern termination thereof. Provided, that any other railroad or railroads that may hereafter be constructed, or which may hereafter seek a right of way through said city, shall have equal privileges on the main tracks to be constructed by virtue of this ordinance, by paying a propor-

tional part of the cost of making and maintaining the same; and all such railroad companies which may operate under and take advantage of this section, including the said Rockford, Rock Island and St. Louis Railroad Company, shall be required to run their trains by time tables which do not conflict and make all other necessary arrangements for joint operation.

§ 2. All the grounds which be west of the east line of East Eagle street and east of the west line of Elk street, projected northward to and into the Mississippi river, and lying north of a line eighty (80) feet distant from and parallel with the north line of blocks one (1) and two (2), in what is known as the old town in the City of Rock Island, are hereby granted and designated as grounds for depot and other railroad purposes to and for the said Rockford, Rock Island and St. Louis Railroad Company. And so much of Mississippi street and other public grounds as are within said boundary are hereby granted for said purposes upon which said grounds and premises, the said company may construct, maintain and use all such sidetracks, depot buildings, engine houses, shops and store houses, as may be deemed necessary for the convenient transaction of the business of said company, reserving to the Rock Island and Peoria Railroad Company the right to retain its single track through the same. Provided, that said Rockford, Rock Island and St. Louis Railroad Company shall not at any time have any obstruction standing or placed on any street of said city within the limits thereof except for the switches and depot purposes herein mentioned. And, provided, further, that said railroad company shall not have the right to erect buildings or obstruct in any manner any portion of the grounds projected northward in front of East Eagle, West Eagle, Buffalo and Elk streets, and the grounds lying between East Eagle and West Eagle streets, projected northward. All of which grounds are part and parcel of or adjacent to Mississippi street. And, provided further, that said railroad company shall, on the first day of April of each year, pay to said city two hundred (\$200) dollars for the use of said grounds.

§ 3. Said railroad company shall, at all times keep its track properly ballasted, and the space between them and to the end of the ties planked or macadamized at its own cost; and in constructing and maintaining the tracks of said company it shall conform to the grade of said city as established from time to time, and interfere as little as possible with the ordinary travel and use of the streets through which said railroad company's tracks may pass, or over which they may cross. And said company shall also make and maintain all such crossings as may be required by the City Council of said city, and erect warning tables at such crossings as may be designated by said City Council, and shall, at its own expense, and on reasonable notice by the city authorities at all times make or cause to be made through the depot grounds herein granted, all necessary drains which may be required of it, and keep the same in proper repair, as also all drains which may be required by the City Council under the tracks in or across any street or streets through which, or over which, the said railroad may pass.

§ 4. Said company may run its trains by locomotives within the limits of the city at a speed not exceeding five miles per hour, subject to such ordinances as may from time to time be passed by the City Council of said city.

§ 5. Said railroad company shall be subject to all necessary police and ordinary revenue regulations of the said City of Rock Island, and shall not, in any way, obstruct, hinder or interfere with the rights and privileges of said city to the shore or levee, or any other portion of said city, for the purpose of levying and collecting wharfage, providing for and regulating the landing and departure of vessels and water crafts and floats of every name and description whatever, and the landing and discharging of cargoes, anything in this ordinance to the contrary notwithstanding. Provided, said railroad company may fill in and improve the levee in front of the grounds heretofore described and designate as depot grounds for said company.

§ 6. Said company shall pay all damages for which

the said city may become liable to any person or persons by reason of the said road entering said city, or by reason of said company constructing, laying down, using or occupying said railroad track or tracks within the said City of Rock Island; and it shall be liable also for the payment of all damages which may arise to the said City of Rock Island by reason of said company constructing, laying down, maintaining, using and occupying said railroad track or tracks within the said City of Rock Island, and also for any loss of life, or property, or other injury that may result from the running of their engines or cars, or transaction of their business within the said city.

§ 7. If the said Rockford, Rock Island and St. Louis Railroad Company at any time fails to comply with any of the provisions of this ordinance, after having reasonable notice in writing requesting a compliance of the same, it is understood and agreed between the said city and the said railroad company that this ordinance shall be null and void. (Passed May 26, 1869. Pr. Ord., 1874, p. 356.)

ROCKFORD, ROCK ISLAND AND ST. LOUIS.

An Ordinance to amend an ordinance entitled, "An ordinance granting the right of way and depot grounds to Rockford, Rock Island and St. Louis Railroad Company."

- § 1. Amends prior ordinance and gives right of way to construct a sidetrack on Mississippi street.
2. Company to conform to all provisions of prior ordinance in constructing and maintaining sidetrack.

Be it ordained by the City Council of the City of Rock Island: § 1. That an ordinance entitled, "An ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company," passed May 26, A. D. 1869, be so amended as to grant permission to said railroad company to put in a sidetrack in addition

to the tracks now laid down on Mississippi street: commencing at a point directly north of the west line of East Eagle street, and running thence west to a point directly north of the east line of Buffalo street, for the term of three years only, from the date of the passage of this ordinance. Said sidetrack to be laid down seven (7) feet south of the southern track of said railroad company as now located.

§ 2. Said railroad company, in constructing and maintaining said sidetrack, shall be subject to all the provisions of the ordinance of which this is an amendment. (Passed June 6, 1870. Pr. Ord., 1874, p. 360.)

ROCKFORD, ROCK ISLAND AND ST. LOUIS—COAL VALLEY MINING COMPANY.

An Ordinance to locate and designate the boundaries of grounds for depot and other railroad purposes, and to provide for the vacation of parts of certain streets therein named, for such purposes.

Preamble.

- §1. Locates and designates certain grounds for depot and other railroad purposes.
2. Mayor and City Clerk to convey by quit claim deed to Coal Valley Mining Company, certain lands on certain conditions—proviso.
3. Coal Valley Mining Company and Rockford, Rock Island & St. Louis Railroad Company authorized to erect buildings and lay tracks.
4. Depot grounds to revert to city if not permanently used for railroad purposes.
5. C. V. M. Co. on notice from city to construct and maintain at its own expense all necessary drains and crossings.

WHEREAS, The Coal Valley Mining Company is the owner of water blocks seven and eight and of all that part of block seven which lies north of the track of the Peoria and Rock Island Railway Company, all in that part of the City of Rock Island known as the Chicago or Lower addition, and has petitioned the Mayor and Common Council

of the City of Rock Island to designate said lands and certain of the streets and public grounds adjoining thereto, as grounds devoted to depot and other railroad purposes; and, whereas, all the owners of the adjoining and abutting lands and lots have given consent in writing thereto, and waived all benefits and released all damages to result to them. Now, therefore,

Be it ordained by the City Council of the City of Rock Island: § 1. That there be and is hereby designated as grounds for depot and other railroad purposes all that certain parcels of land bounded and described as follows, to-wit: On the east by the east line of block seven, in the Chicago or Lower addition to said city, and by the same produced northerly to the Mississippi river; on the south and east by the track of the Peoria and Rock Island Railway Company as now located; on the south and west, by south line of water block eight in said addition, and the same produced southeasterly to its intersection with said railroad track, and on the north and west by the Mississippi river.

§ 2. All the streets and public grounds within the boundaries described in section one of this ordinance are hereby vacated, and the Mayor and City Clerk are hereby directed to execute quit claim deeds under the seal of the city, conveying to said Coal Valley Mining Company all the interest which the City of Rock Island have in the streets and parts of streets so vacated, such deeds to be made upon the conditions mentioned in section four of this ordinance. Provided, that no buildings shall be put on Carroll street or cars left standing thereon, unnecessarily to obstruct said street.

§ 3. The said Coal Valley Mining Company and the said Rockford, Rock Island and St. Louis Railroad Company, are hereby authorized and empowered to build upon the grounds above designated, such depots, round houses, machine shops, repair shops, and other buildings as may be found convenient or necessary to the carrying on of

their respective business, and to lay such tracks thereon as may be convenient or necessary therefor, and they, or either of them, are hereby authorized and empowered to lay, maintain and use such tracks as may be convenient and necessary across block six in said addition, and across Main and Huron streets, and along Mississippi street, to connect them with the said tracks which now are or may be constructed adjacent to said Mississippi street.

§ 4. If the said grounds so, as above designated, shall permanently cease to be occupied for railroad purposes, said streets or public grounds shall revert to the city, and thereafter remain and be streets and public grounds, as if this ordinance had never been adopted.

§ 5. Said Coal Valley Mining Company shall, at all times, on reasonable notice by the city authority, at its own expense, make or cause to be made through said grounds, all necessary drains which may be required of them and be necessary for the draining of said City of Rock Island, and keep the same in good repair, and complete and maintain, at its own expense, all necessary crossings, where said proposed tracks cross Main, Carroll and Huron streets. (Passed June 5, 1871. Pr. Ord., 1874, p. 361.)

COAL VALLEY MINING COMPANY.

An Ordinance granting right of way on the levee to Coal Valley Mining Company.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be granted and is hereby given to the Coal Valley Mining Company, to construct and maintain a railroad track and chutes for dumping coal on boats and barges, along the water's edge of the Mississippi river, when at its lowest stage, from the northwest corner of the depot grounds of the Chicago, Rock Island and Pacific Railroad Company (which is on the east line on Twentieth e.—

street) to a point not more than one hundred and twenty feet west from the west line of said street, which railroad tracks and chutes shall be constructed and maintained above high water mark in said river, and be supported by piers or cribs filled with rock not more than eight feet in width, and with an intervening space of not less than twenty feet between each of said piers or cribs.

§ 2. The City Council hereby reserves the right to repeal this ordinance at any time after the lapse of five years, and said repeal shall not take effect until one year after said repeal, during which time said company may maintain and use said railroad track and cribs. (Passed February 4, 1878. 1 Mss. Ord., 468.)

ST. LOUIS, ROCK ISLAND AND CHICAGO.

An Ordinance granting the right of way to the St. Louis, Rock Island and Chicago Railroad Company and for other purposes.

Be it ordained by the City Council of the City of Rock Island: § 1. That the St. Louis, Rock Island and Chicago Railroad Company is hereby granted the right of way for a single or double track for its use, and the use of its grantees, successors, lessees or assigns, across Moline avenue at the point of and in the vicinity of said avenue known as Brook's crossing. The said right of way across said avenue to run on the north side of and adjoining the right of way of the Chicago, Rock Island and Pacific Railroad Company by the nearest practicable route.

§ 2. Upon the construction of the railway track upon the right of way hereby granted, it shall be the duty of said St. Louis, Rock Island and Chicago Railroad Company, its grantees, successors, lessees or assigns, to restore and maintain said avenue where the same is intersected by said right of way hereby granted to its former state, so as not un-

necessarily to impair its usefulness, so that said crossings shall be at all times convenient and safe to cross for persons and property; the north side of said right of way hereby granted, where the same runs along and upon the avenue, shall be fenced by a good and sufficient board fence, except at that part of the right of way where the public travel crosses.

§ 3. And, whereas, the said St. Louis, Rock Island and Chicago Railroad Company is the grantee by mesne conveyance of the Rockford, Rock Island and St. Louis Railroad Company, its railroad, railroad property, franchise and right of way, and is now, by its lessee, the Chicago, Burlington and Quincy Railroad Company, operating its railroad, and has paid to this city the annual rent for right of way, provided to be paid by said Rockford, Rock Island and St. Louis Railroad Company, under the ordinance hereinafter named. Therefore,

Be it further ordained, that all the rights, benefits and privileges heretofore granted to said Rockford, Rock Island and St. Louis Railroad Company by an ordinance of said city, passed May 26, A. D. 1869, entitled, "An Ordinance Granting the Right of Way and Depot Grounds to the Rockford, Rock Island and St. Louis Railroad Company," and a further ordinance of said city passed June 6, 1870, entitled, "An Ordinance to Amend an Ordinance, entitled, 'An Ordinance Granting the Right of Way and Depot Grounds to the Rockford, Rock Island and St. Louis Railroad Company,'" be and the same are hereby granted, assured and confirmed in and to said St. Louis, Rock Island and Chicago Railroad Company, its grantees, successors, lessees and assigns, subject, however, to all the duties, obligations and conditions of said ordinances respectively. (Passed April 24, 1879. 2 Mss. Ord., 16.)

ROCKFORD, ROCK ISLAND AND ST. LOUIS—ST.
LOUIS, ROCK ISLAND AND CHICAGO.

An Ordinance repealing parts of ordinances passed May 26, A. D. 1869, and April 24, A. D. 1879, relating to the right of way and depot grounds of the Rockford, Rock Island and St. Louis Railroad Company and its successor, the St. Louis, Rock Island and Chicago Railroad Company.

WHEREAS, heretofore, by an ordinance entitled, "An ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company, passed the 26th day of May, A. D. 1869, the City Council of the City of Rock Island granted to the Rockford, Rock Island and St. Louis Railroad Company (among other enumerated rights and privileges) the right to construct, maintain and use a double track in, through and across certain streets and alleys of said City of Rock Island, as therein mentioned and designated, to-wit:

"Commencing on a line with the east side of the street projected northward west of P. L. Cable's residence and thence westward through the public highway to the east end of Illinois street; thence on the north side of Illinois street to Madison street; thence along and across Madison street to block three (3) in Spencer and Case's addition to said city, thence across the alley in said block three (3) in said addition across Jefferson street; thence along Jefferson street to Mississippi street; thence along Mississippi street to the west end thereof, across Ohio street; across Ontario street into Water street; thence along Water street to Pike street, thence southward through Pike street to the southern termination thereof."

And, whereas, the said Rockford, Rock Island and St. Louis Railroad Company has hitherto avoided and wholly failed and neglected to avail itself of the privilege of constructing, operating and maintaining a main track or double track, sidetracks, turnouts or switches in, along or upon

the right of way in the entirety thereof, as designated and provided in the aforesaid ordinance, to-wit: has so failed and neglected as to so much of said right of way as lies to the westward of the intersection of Twelfth and Mississippi streets, and thence, as designated in said ordinance, to the southern termination of Pike street. And, whereas, this City Council believe that by reason of the failure and non-usage, as aforesaid, the said railroad company has abandoned and thereby forfeited all its rights to the use, occupancy and possession of the right of way designated in said ordinance as to the part thereof to the westward of said Twelfth street, and that the privilege therein conferred or intended to be conferred in connection with said forfeited portion of right of way, thereby revert and belong to the City of Rock Island; and, whereas, this City Council further believe that it would be detrimental to the interests of the city to revive or renew the said forfeited rights and privileges to the said railroad company, its successors or assigns, or to grant permission to the same to construct or extend any new or additional track, tracks, siding, turn-outs or switches within the city limits in a westerly direction along said designated right of way beyond the point to which the tracks of the said railroad company, its successors or assigns, now exist and extend; and, whereas, the City Council of the City of Rock Island, by an ordinance passed April 24, A. D. 1879, purporting to confirm to the St. Louis, Rock Island and Chicago Railroad Company, (claiming to be the successor of the Rockford, Rock Island and St. Louis Railroad Company) all the rights and privileges mentioned and contained in said first above named ordinance, passed May 26, A. D. 1869, did in fact but inadvertently and without specific distinction and reservation, include therein that portion of right of way hereinbefore specified as having been relinquished and forfeited by the said Rockford, Rock Island and St. Louis Railroad Company; therefore,

Be it ordained by the City Council of the City of Rock Island: § 1. That such part or portions of an ordinance

passed May 26, A. D. 1869, and such part or portions of an ordinance passed April 24, A. D. 1879, confirmity of rights and privileges conferred or intended to be conferred by virtue of said ordinance of May 26, A. D. 1869, as gives and grants to the Rockford, Rock Island and St. Louis Railroad Company or confirms to its alleged successor, the St. Louis, Rock Island and Chicago Railroad Company, or that gives, grants and confirms to either or both of them the right of possession and occupancy therefor, or the right and privilege of constructing, maintaining and using single or double tracks, sidetracks, turnouts or switches in, upon, along or across any street or streets within the city limits to the westward of the place to which the track or tracks of said Rockford, Rock Island and St. Louis Railroad Company, its successors and assigns or either of them, have heretofore and up to the time of passage hereof been constructed and are now used and maintained, together with such parts or portions of all other ordinances of this city relating to said railroad companies or either, or any of them, as may be in conflict or inconsistent herewith, shall be and the same are hereby repealed and annulled. (Passed May 17, A. D. 1880. 2 Mss. Ord., 28.)

CHICAGO, BURLINGTON AND QUINCY.

An Ordinance concerning the round house track of the Chicago, Burlington and Quincy Railroad Company.

Be it ordained by the City Council of the City of Rock Island: § 1. That the St. Louis, Rock Island and Chicago Railroad Company and its lessee, the Chicago, Burlington and Quincy Railroad Company, shall have the right to construct, maintain and use a single railroad track through and across First avenue in the City of Rock Island in front of Fifteenth (15th) street, and lot one (1) in block three (3) in the "old town" of said city, for the purpose of reach-

ing the round house about to be erected on the north half ($1\frac{1}{2}$) of said block three; said track to be run as follows: Beginning at the north line of said block three (3), at the northwest corner of said lot one (1), thence curving to the east to intersect the south track of the Rock Island and Peoria Railroad Company as now located, at a point in the center line thereof, where it would be intersected by the center line of said Fifteenth (15th) street, produced northerly across said First avenue and thence by the shortest practicable route to connect with the present south track of said St. Louis, Rock Island and Chicago Railroad Company, as now located in front of block two (2), in said "old town," at a point not exceeding seventy-five (75) feet east of the west line of said block two (2), produced northerly to said river.

And said companies, or either of them, shall have the right to at any time hereafter lay an additional track from the said north half of block two (2), now owned by said companies, or one of them, beginning at the turn table now located in said north half of block two (2) and extending across said First avenue and in front of Fifteenth street by a proper curve to, and to connect with said south track of said companies; said new track to be laid parallel with and not more than thirty feet distant south and east from said present roundhouse track as located, until it intersects and connects with said south track.

Said track shall be laid upon the same conditions and supervisions as specified in the said original ordinance and under the same restrictions to plank all the space between the said track to be laid and the track now laid, and also said track to be laid between the rails with hardwood plank and eighteen inches on the outside thereof.

§ 2. The track to be laid, as provided by this ordinance, shall be laid under the supervision of the Mayor and street and alley committee of the City of Rock Island.

The said company or companies shall forthwith, after said track is laid and constructed, make the grade of said First avenue and Fifteenth (15th) street, adjacent to and

on either side of said track, uniform and on a level or proper grade with the top of the rails of said track, making the crossing thereof as easy as practicable, under the supervision of said Mayor and committee, and they shall also plank said track between the rails thereof, and place at least one plank on the outer side of each rail thereof, entirely across said First avenue, and at all times hereafter keep and maintain the same in good repair.

Provided, That neither of said railroad companies shall at any time permit or allow cars or engines to remain standing on said round house track where it crosses said First avenue, but shall, at all times, keep the same free and clear from such standing cars and engines.

§ 3. That the said railroad companies be required to fill First avenue between Fourteenth and Fifteenth streets, and also the alley between Fourteenth and Fifteenth streets and First and Second avenues, to grade, under the direction of the said Mayor and street and alley committee. (Passed November 7, 1881. 2 Mss. Ord., 62. Amended March 7, 1892. 3 Mss. Ord., 24.)

ST. LOUIS, ROCK ISLAND AND CHICAGO RAILROAD
COMPANY—CHICAGO, BURLINGTON AND
QUINCY RAILROAD COMPANY.

An Ordinance granting to the St. Louis, Rock Island and Chicago Railroad Company and its lessee, the Chicago, Burlington and Quincy Railroad Company, the right to lay a second track on the right of way of said company, north of the present main track from Forty-sixth, across it and the other street west thereof, to or beyond the under crossing of Fifth avenue.

Be it ordained by the City Council of the City of Rock Island: § 1. That the St. Louis, Rock Island and Chicago Railroad Company and its lessee, the Chicago, Burling-

ton and Quincy Railroad Company, be and they are hereby authorized to lay and hereafter maintain a second track across Forty-sixth, Forty-fifth, Forty-fourth, Forty-third, and any other streets west thereof to the under crossing of Fifth avenue, and across said avenue at said crossing in the same manner as it is now crossed. Said track to be laid on the right of way of said company, and immediately north of the present main track now in use by said companies, or one of them.

§ 2. The track to be laid under this ordinance shall be laid under the supervision of the Mayor and street and alley committee of the City of Rock Island.

§ 3. Said companies shall, as soon as said track is laid, restore and thereafter keep its track on a substantial level with the street adjoining, and shall plank the same between the rails and to the ends of the ties on the outside, so as to make the said crossing of said tracks easy and safe, and so maintain the same. (Passed April 4, 1892. 3 Mss. Ord., 31.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An Ordinance granting to the Chicago, Burlington and Quincy Railroad Company the right and authority to lay a certain track in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Chicago, Burlington and Quincy Railroad Company shall have the right to construct, maintain and use a single track through, and across Nineteenth street, in the City of Rock Island, in front of lot five (5) in block two (2) and lot one (1) in block three (3) of Spencer and Case's addition to said City of Rock Island, for the purpose of reaching the warehouse of the Geiser Manufacturing Company, erected on said lot five (5) in

block two (2) in said Spencer and Case's addition, said track to be run as follows: Beginning on the west line of said block three (3) at a point fourteen (14) feet south of the main track of said Chicago, Burlington and Quincy Railroad Company (measuring from center to center) and running thence parallel with said main track on said railroad to the west line of said Nineteenth street.

§ 2. The track to be laid as provided by this ordinance, shall be laid under the supervision of the Mayor and street and alley committee of the City of Rock Island. The said company shall forthwith after said track is laid and constructed make it to conform with the established grade of said Nineteenth street making the crossing thereof as easy as practicable under the supervision of said Mayor and said committee, and shall bear the expense of paving between their rails and for one and one-half feet on each side, and shall at all times thereafter keep and maintain the same in good repair; provided, that said railroad company shall not at any time permit or allow cars or engines to remain standing on the track where it crosses Nineteenth street, but shall at all times keep the same free and clear from such standing cars and engines. (Passed August 15, 1892. 3 Mss. Ord., 61.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An Ordinance.

Be it ordained by the City Council of the City of Rock Island: § 1. That permission be and hereby is granted to the Chicago, Burlington and Quincy Railroad Company to construct, maintain and use one (1) temporary track upon and along First avenue in said city from a point in said avenue where it crosses the east line of Fifteenth street, twelve (12) feet south from the center of the track

of the Rock Island and Peoria Railroad Company as now laid upon said avenue, westerly parallel to the said track of the said Rock Island and Peoria Railroad Company, and along said First avenue to the west line of Fourteenth street.

§ 2. That permission be and hereby is granted to said Chicago, Burlington and Quincy Railroad Company to construct and maintain for temporary purposes from its round house a railroad track at right angles north and south across the alley in block three (3) in that part of the City of Rock Island known as and called the "old town," and also construct a single railroad track at right angles, north and south across Second avenue in said city from the south line of lot six (6) in said block three (3) to the north line of the court house square in said city.

§ 3. That said tracks shall be constructed under the direction and control of the Mayor and street and alley committee of said City Council and in such a way as to obstruct and interfere as little as possible with the use of said street and alley as public highways.

§ 4. Upon the completion of the new court house, to be erected upon said court house square, said tracks shall be removed and said First and Second avenues and said alley shall be restored and Second avenue relaid with brick so as to leave the same in as good condition as they now are and this ordinance shall then become void.

§ 5. The said Chicago, Burlington and Quincy Railroad Company shall be responsible for all damages occasioned by the use of said tracks and hold the city harmless from all such damages. (Passed June 20, 1895. 3 Mss. Ord., 312.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD
COMPANY.

An Ordinance concerning the Henry Dart's Sons' track of the Chicago, Burlington and Quincy Railroad Company.

Be it ordained by the City Council of the City of Rock

Island: § 1. That the St. Louis, Rock Island and Chicago Railroad Company and its lessee, the Chicago, Burlington and Quincy Railroad Company, shall have the right to construct, maintain and use a single railroad track over and across First avenue in the City of Rock Island, beginning at a point about thirty (30) feet east of the east line of Eighteenth street if projected northerly toward the Mississippi river; and thence running to the east and south by a proper curve about one hundred and fifty (150) feet east of said east line of Eighteenth (18th) street; thence upon and across lot three (3) in block two (2) in Spencer and Case's addition to said city upon the property owned by Henry Dart's Sons.

§ 2. The track to be laid as provided by this ordinance, shall be laid under the supervision of the Mayor and the street and alley committee of the City of Rock Island.

§ 3. The said companies shall forthwith, after said track is laid and constructed, make it to conform with the established grade of said First avenue, and shall make the crossing thereof as easy as practicable and shall plank the space between the rails of said track, and eighteen (18) inches distant on the outside thereof, so as to make the same proper for the passage of teams, all under the supervision of said Mayor and committee.

Provided, That in case said street shall be ordered paved along said block then the portion thereof above required to be planked, shall be paved by said railroad companies (upon direction so to do by said City Council), at their own expense; of the same character as the remainder of said street shall be paved, and to the satisfaction of said Mayor and committee.

§ 4. None of said railroad companies shall at any time permit or allow cars or engines to remain standing on said track constructed under the provisions of this ordinance, but shall keep the same free and clear from such standing engines. (Passed March 2, 1896. 3 Mss., 365.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An ordinance granting to the Chicago, Burlington and Quincy Railroad Company, the right to lay additional tracks in Second avenue in the City of Rock Island, and to lay tracks across, in and along Twenty-first and Twenty-second streets in said city and the alleys in block seven, Spencer & Case's addition.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the Chicago, Burlington and Quincy Railroad Company is hereby granted and shall have the right to construct, maintain and use hereafter two tracks in Second avenue, in said city, south of the present south track now located and used by it between the following points, to-wit: from the east line of Twentieth street to a point near the east line of lot two (2) in block one (1) in Bailey & Boyle's addition to said city if produced north across said Second avenue. One of said tracks shall be located as near the south line of said avenue as practicable until at or near said point opposite the said east line of said lot two (2) and from thence shall curve to the north and connect with the main track at or west of the point where the present power house switch track now connects with the said main track, and said second track shall be laid north of and parallel with and as near to said last named track as it is possible to lay the same and properly operate cars upon it.

§ 2. Said Chicago, Burlington and Quincy Railroad

Company is hereby further granted and shall have the right to lay, construct, maintain and use hereafter as many tracks as it shall deem advisable and as shall be proper for the most advantageous use by it of the property hereinafter referred to for tracks, yard and depot purposes across and along the alleys in the north part of block seven (7) in Spencer & Case's addition to said city, and across Twenty-first and Twenty-second streets in said city where said streets and alleys adjoin said property owned or controlled by said company, to-wit: The northerly portion of block seven (7) and the north one-half of block six (6), all in Spencer & Case's addition to said city, and lots one and two in block one (1) in Bailey & Boyle's addition to said city.

§ 3. Said tracks, and each of them shall be laid under the supervision and to the satisfaction of the Mayor and street and alley committee of said city and said company shall forthwith, after said tracks are laid and constructed, make the same conform to the established grade of said Second avenue, and of said alleys, and of said Twenty-first and Twenty-second streets, and shall plank or pave between the rails thereof and at the ends of the ties on each side the full width of said Twenty-first and Twenty-second streets, and to make the same uniform and on a level with the top of the rails of said tracks so that the crossing of the same shall be as safe and easy as practicable, all of which shall be done under the supervision of the said Mayor and committee.

§ 4. The rights above granted are subject to the condition that the said Chicago, Burlington and Quincy Railroad Company shall, within eighteen months from the approval hereof, erect at the corner of Twentieth street and Second avenue a passenger station of at least two stories in height; and on failure so to do the rights under this ordinance shall be forfeited. (Passed April 25, 1898. 4 Mss. Ord., 53.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An ordinance granting the right to lay a stub switch track across Second avenue and the alley in block number two (2) in Bailey & Boyle's addition to Rock Island.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. The right is hereby granted to the Chicago, Burlington and Quincy Railroad Company to lay a stub switch track across Second avenue and the alley in block two (2) in Bailey & Boyle's addition to the City of Rock Island, County of Rock Island, and State of Illinois, to run as follows: Beginning in the south main track of said company in said Second avenue and at a point about twenty (20) feet east of the east line of Twenty-third (23d) street, extended northerly across said Second avenue, thence easterly and southeasterly by a twenty-nine (29) degree curve across said Second avenue to the north line of said block number two (2), thence continuing on said curve to, at or near the north line of the alley in said block, thence south by curve, or on a tangent, across said alley to the north line of lot number seven (7) in said block.

§ 2. Said Chicago, Burlington and Quincy Railroad Company shall, as soon as said track shall have been laid, plank said tracks after leaving said main track where it lays in said Second avenue and across said alley, in a proper manner so that the same may be readily crossed by teams.

§ 3. Said track shall be laid under the supervision and to the satisfaction of the Mayor and the street and alley committee of said City of Rock Island, and shall conform to the established grade of said Second avenue and said alley. (Passed April 16, 1900. 4 Mss. Ord., 123.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An ordinance repealing part of the rights granted in section 2 of an ordinance entitled "An ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company."

Be it ordained by the City Council of the City of Rock Island: § 1. That section 2 of an ordinance entitled "An ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company," be repealed to the extent as hereafter specified in this ordinance.

§ 2. That all rights, title and interest of whatever kind granted by section 2 of said ordinance to the above named railway company or its successors to the use and occupancy of the following described tract is hereby repealed and the said property reverts back to the City of Rock Island, Ill.

The tract over which the control of the said company and its successors is to cease as herein provided, is described as follows: All the ground which lies west of the east line of Seventeenth street, formerly East Eagle street, and east of the west line of Seventeenth street, formerly West Eagle street, projected northward to and into the Mississippi river and lying north of a line drawn two feet north of the north rail of the main track of the Rock Island and Peoria Railway Company as the same is now used and operated and running parallel therewith.

§ 3. The tracks belonging to the C., B. & Q. Railroad Company lying and being located in the property above described are to be vacated and removed within five (5) days from the time that this ordinance goes into effect.

§ 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed. (Passed September 17, 1900. 4 Mss. Ord., 154.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD
COMPANY.

An Ordinance granting to the Chicago, Burlington and Quincy Railroad Company the right and authority to lay a certain track in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the Chicago, Burlington and Quincy Railroad Company shall have the right to construct, maintain and use a single track through and across First avenue, in the City of Rock Island, in front of lots three (3) and four (4), in block number one (1), in Spencer & Case's addition to said City of Rock Island, for the purpose of reaching the coal yard of the Empire Coal Co., to be located on the west thirty (30) feet of said lot four (4) and the east part of said lot three (3), block one (1), in Spencer & Case's addition, and which track shall run as follows: Leaving the present main track of said railroad at a point about one hundred and forty-five (145) feet east of the east line of East Seventeenth street and running southeasterly across said First avenue to said coal yard.

§ 2. The track to be laid as provided by this ordinance shall be laid under the supervision of the Mayor and street and alley committee of the City of Rock Island, the said company shall forthwith, after said track is laid and constructed, make it to conform to the established grade of said First avenue, making the crossing thereof as easy as practicable, under the supervision of said Mayor and the committee, and shall plank said track between the rails and to the ends of the ties on the outside, so as to make the crossing of said track easy and safe and so maintain the same.

§ 3. Said railroad company shall not at any time permit or allow cars or engines to remain standing on the track where it crosses said First avenue, but shall at all times keep the same free and clear from such standing cars and engines. (Passed September 17, 1900. 4 Mss. Ord., 155.)

f.—

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

WHEREAS, The City Council of the City of Rock Island did on the twenty-fifth day of April, A. D. 1898, pass an ordinance granting to the Chicago, Burlington and Quincy Railroad Company the right to lay tracks in Second avenue in the City of Rock Island east of Twentieth street in said city, and across Twenty-first and Twenty-second streets and the alleys between said streets, on condition, however, that the said railroad company should erect at the corner of Twentieth street and Second avenue a passenger station of at least two stories in height; and

WHEREAS, Said Chicago, Burlington and Quincy Railroad Company has now fully performed and complied with said condition and has now erected at said corner of Twentieth street and Second avenue such passenger station of two stories in height, which is an ornament to this city and a credit to said railroad company; therefore,

Be it ordained by the City Council of the City of Rock Island, Illinois: That all rights granted to said Chicago, Burlington and Quincy Railroad Company in and by said ordinance of April 25th, 1898, subject to said condition, be, and the same are hereby declared to be vested and the same are hereby vested absolutely in said Chicago, Burlington and Quincy Railroad Company, as fully and to the same extent as though said condition had been inserted in said ordinance. And the said Chicago, Burlington and Quincy Railroad Company is hereby declared to be vested with the right to lay, maintain and use all tracks specified, mentioned and referred to in sections one (1), two (2) and three (3) of said ordinance, hereafter, in accordance with the provisions of said last named sections. (Passed September 17, 1900. 4 Mss. Ord., 156.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An Ordinance granting the right and privilege, etc., to the Chicago, Burlington and Quincy Railroad Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right and privilege is hereby granted to the Chicago, Burlington and Quincy Railroad Company, and its successors and assigns, to construct and maintain a switch track across Nineteenth street in said city beginning on the east line of lot five in block two in Spencer and Case's addition of said city, sixty feet from the northeast corner thereof, and thence east across Nineteenth street to the west line of lot one in block three in said addition, and into the premises of the United Brewing Company.

§ 2. That said switch track shall be constructed under the supervision of the street and alley committee of said city, and at no time shall cars be allowed to stand in said street on said switch track, but said company shall at all times keep the same clear and unobstructed by standing cars. (Passed April 15, 1901. 4 Mss. Ord., 186.)

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

An Ordinance granting to the Chicago, Burlington and Quincy Railroad Company the privilege of laying railroad sidetracks between Twenty-fourth (24th) and Twenty-fifth (25th) streets in said city, extending from its present main track south to Fifth (5th) avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Chicago, Burlington and Quincy Railroad Company be and is hereby granted the privilege

of laying a single railroad sidetrack, the center line of which is described as follows: Commencing at a point in the north line of Fifth (5th) avenue which is distant seven and one-half ($7\frac{1}{2}$) feet west at right angles from the southeast corner of lot "D" in the northwest quarter of section thirty-six (36), and from thence running northwardly parallel with said east line of said lot "D" to a point in the extension eastwardly of the center line of Third (3d) avenue in said city, and from thence running northwestwardly, curving to the north and west in an arc of a circle with the radius of two hundred and sixty-two (262) feet to the main track of said railway company, together with such further sidetracks and loading and unloading tracks on the west thereof and connecting therewith as may from time to time be or become convenient or necessary, said privilege to be and is hereby taken by the said railway company subject to all rights of Edward H. Guyer and Hugh E. Curtis, their heirs or assigns, or any or either of them, in or to the strip of land or premises mentioned and set apart for railroad uses in that certain deed of conveyance bearing date the seventeenth (17th) day of May, A. D. 1902, made by said Guyer and wife and said Hugh E. Curtis unto George White, conveying unto said White a part of said lot "D" in connection with the use of said strip. (Passed June 23, 1902. 4 Mss. Ord., 230.)

DAVENPORT AND ROCK ISLAND BRIDGE, RAILWAY AND TERMINAL COMPANY.

An Ordinance granting the right of way and certain privileges to the Davenport and Rock Island Bridge, Railway and Terminal Company.

WHEREAS, The Davenport and Rock Island Bridge, Railway and Terminal Company is about to construct and build a railway bridge across the Mississippi river from the City of Davenport, Iowa, to the City of Rock Island,

Illinois, the southern terminus of said railway bridge to be at a point at or near the foot of Sixth street in said City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. The right is hereby granted to the said Davenport and Rock Island Bridge, Railway and Terminal Company to build and erect on First avenue, in the City of Rock Island, at or near the foot of Sixth street, suitable and practicable approaches to said proposed railway bridge and to the southern terminus of the same, and the said city reserves the right to specify the exact location of and the space required for such approaches by future ordinance or resolution.

§ 2. Further, to construct, maintain and use on the Mississippi river bank, on First avenue, for the running and operation of their locomotives, engines, cars and trains, a double track immediately north of all tracks now laid on said First avenue from Seventh street east and along said First avenue to Twentieth street; and to construct, maintain and use the necessary turnouts, sidetracks and switches to connect its said tracks with each other, and with the tracks of all the other railroad companies now laid on said First avenue, at their passenger and freight depots, respectively: Provided, that convenient crossings be made by said company when the track or tracks may cross the line of streets running south, or in any other direction from the river, and that said company shall at no time have standing upon the railroad tracks on any street of said city, leading from the river into the said city, any of the rolling stock of said company, or any other encumbrance or obstruction; Provided, further, that said company shall, when requested by said City Council, execute bonds with sureties satisfactory to said City Council to indemnify the said city against any liability it may come under by reason of the construction of said tracks, or any of them; and provided, also, that said company shall comply with the conditions and terms hereinafter mentioned, and subject to which this grant is made.

§ 3. The said tracks shall be constructed at such a grade as not to obstruct any of the public levees or streets, or future extension thereof, or travel thereon, and the said tracks, and the space between the said tracks, shall be kept properly planked and macadamized or paved, as ordered by the City Council where it crosses the levee, or any street, or any future extension of any street which the city reserves the right to make from the south side of said tracks to the river front, so that teams and passengers can safely cross the same, and in case the company fails so to do, the city may put such tracks in the desired condition at the expense of the railroad company, and the said company shall, in the construction of its roadbed, not hinder or obstruct any waterway, sewer or gutter, but shall provide, as ordered by the City Council, whenever it shall be necessary, sufficient stone sluiceways or extension of sewers under the roadbed, at its own expense, and if the said company fails to do so, the city may construct the same at the expense of the said company.

§ 4. Said company may run their tracks by locomotives, within the limits of the city, at a speed not to exceed five (5) miles per hour, subject to such ordinances as may from time to time be passed by the City Council of said city establishing and regulating the speed and motive power within said city, and said company shall be subject to all necessary police and ordinary revenue regulations and restrictions of the said City of Rock Island, and shall not in any way obstruct, hinder or interfere with the rights and privileges of said city to the shore or levee, or any other portion of said city, for the purpose of levying and collecting wharfage, providing for and regulating the landing and departure of vessels and water craft of every name and description whatsoever, and the landing and discharge of cargoes, anything in this ordinance to the contrary notwithstanding.

§ 5. The grants in this ordinance contained, made to the said Davenport and Rock Island Bridge, Railway and

Terminal Company are upon further express condition, that in the event the said company shall fail to construct at least one of its tracks ready for the operation of cars thereon on or before the expiration of three (3) years from the date of the passage and approval of this ordinance, the said city reserves the right to repeal this ordinance without notice to said company, and cancel and forfeit all rights granted thereunder.

§ 6. The foregoing ordinance is also upon the express condition that said Davenport and Rock Island Bridge, Railway and Terminal Company shall have completed on or before three (3) years from the date of the passage and approval of this ordinance, its proposed railway bridge across the Mississippi river, with suitable and practicable approaches and terminal tracks on each side of said river; and upon failure so to do the city reserves the right to repeal this ordinance, and all rights thereunder.

§ 7. In laying down said tracks, they shall be so laid down as to interfere with the ordinary travel and uses of any of the streets which said tracks may cross as little as possible.

§ 8. In the event of said proposed bridge becoming the property of or in any way under the control of any railways now operating in this city, all rights granted to said Davenport and Rock Island Bridge, Railway and Terminal Company under this ordinance shall be forfeited at once, and no rights privileges or franchises granted to said company under this ordinance shall be assigned or transferred to any other company without consent thereto being first obtained by the City Council of the City of Rock Island.

In the event this grant, on the terms and conditions thereunder mentioned and set forth, is accepted, written acceptance thereof shall be filed with the City Clerk within ten (10) days. (Passed October 24, 1895. 3 Mss. Ord., 354.)

ROCK ISLAND AND EASTERN ILLINOIS RAILROAD
COMPANY.

An Ordinance granting the right of way and other rights and privileges to the Rock Island and Eastern Illinois Railroad Company.

Be it ordained by the City Council of the City of Rock Island: § 1. The right is hereby granted by the City of Rock Island to the Rock Island and Eastern Illinois Railroad Company to locate, construct and maintain and operate a single or double track railway along the northern limits of said city, and between the eastern and southwestern limits thereof, except from Twentieth to Ninth streets, as hereinafter stated, and maintain the same for the operation of its locomotives and cars thereon, and including in said grant the right to lay said tracks across or along all streets, alleys and avenues of said city upon condition, precedent that wherever the consent of property owners is by law required to the laying of any of said company's proposed tracks, such consent shall first be obtained, and this ordinance as to such contemplated tracks shall not take effect and no rights shall vest in or pass to said company under and by virtue of this ordinance until such consent be first obtained; and upon the further condition that said company shall comply with the conditions and terms hereinafter mentioned and subject to which this grant is made.

§ 2. From Forty-sixth to Forty-second street the said tracks shall be laid at any point between the Mississippi river and the north line of Third avenue extended; from Forty-second street to Twenty-sixth street at any point between the north line of Fifth avenue and the Mississippi river; from Twenty-sixth street to Twentieth street at any point between the north line of Third avenue and the Mississippi river; from Ninth street to southwestern limits of said city, north of the south line of Third avenue and west of Fourth street, and the city reserves the right to specify

the exact location of such tracks by future ordinance or resolution, in case the location which may be made by said company may be deemed by the said City Council prejudicial to the public interest.

§ 3. Any other railroad or railroads that may hereafter be constructed or which may hereafter seek a right of way through the city, shall have the right to use the main track to be constructed by virtue of this ordinance paying a fair proportion of the cost of locating, constructing and maintaining the same as agreed upon between the companies using said tracks, or in case of their failure to agree, to be fixed by arbitrator's chosen, one by the City Council, one by the Rock Island and Eastern Illinois Railroad Company, and one by the company or companies seeking to use said tracks; the amount fixed by such arbitrators shall be the amount to be paid by the last named company to said R. I. & E. I. R. R. Co. as a condition of using the same.

§ 4. Whenever said track or tracks are laid across or on any street or alley, such tracks shall be constructed at such grade as not to obstruct the use of such street or alley for travel thereon, and said company shall at all times keep said tracks and the space between them, and between the rails of each track, properly planked, macadamized or paved as ordered by the City Council, and in case of the refusal or failure of said company to so maintain said tracks, the City of Rock Island shall have the right to have the same planked, paved or macadamized, or place the same in condition so as not to obstruct travel on any such streets or the extension thereof, and charge the expense of the same to said Rock Island and Eastern Illinois Railroad Company.

§ 5. Said company shall, in the construction of its roadbed, not hinder nor obstruct any waterway, sewer or gutter, but shall provide, in accordance with specifications approved by the City Council, sufficient sluiceways, extension of sewers or gutters at its own expense, and if

said company fails so to do, the city shall have the right to construct the same at the expense of the said company.

§ 6. Said company may run its trains by locomotives within the limits of the city at a speed not to exceed five miles per hour, subject to such ordinances as may from time to time be passed by the City Council of said city for establishing and regulating speed and motive power within said city, and said company shall be subject to all the necessary police and ordinary revenue regulations and restrictions of the said City of Rock Island, and shall not in any way obstruct, hinder or interfere with the rights and privileges of the said city to the shore or levee, or any other portion of said city for the purpose of levying and collecting wharfage, providing for and regulating the landing and departure of vessels and water crafts of every name and description whatever, and landing and discharge of cargoes, anything in this ordinance to the contrary notwithstanding.

§ 7. The grants in this ordinance contained made to the said Rock Island and Eastern Illinois Railroad Company are upon the further expressed condition that in the event the said company shall fail to construct at least one of its tracks ready for the operation of cars thereon, on or before the expiration of three years from the approval of the location of said tracks by the City of Rock Island, then such city reserves the right to repeal this ordinance without notice to said company and cancel and forfeit all rights granted hereunder.

§ 8. In laying down said tracks they shall be so laid down as to interfere with ordinary travel and uses of any of the streets which said tracks may cross as little as possible, and convenient crossings shall be made by said company when the track or tracks may cross the line of streets running north and south, and that said company shall not at any time have standing upon the railroad tracks on any traveled streets of said city leading from the

river into said city, any of the rolling stock of said company or any other incumbrance or obstruction for an unreasonable length of time.

§ 9. Said company shall, when requested by said City Council, execute a bond or bonds with sureties satisfactory to said city against any liability it may come under by reason of the construction of said track or tracks. (Passed August 3, 1896. 3 Mss. Ord., 395.)

ROCK ISLAND AND EASTERN ILLINOIS RAILWAY COMPANY.

An Ordinance granting to the Rock Island and Eastern Illinois Railway Company equal privileges with the Chicago, Burlington and Quincy Railroad Company on the main tracks operated by said last named company in and through the City of Rock Island.

WHEREAS, Heretofore by an ordinance entitled, "An ordinance granting the right of way and depot grounds to the Rockford, Rock Island and St. Louis Railroad Company," passed the 26th day of May, A. D. 1869, the City Council of the City of Rock Island granted to the Rockford, Rock Island and St. Louis Railroad Company, among other enumerated rights and privileges, the right to construct, maintain and use a double track in, through and across certain streets and alleys of the City of Rock Island as therein mentioned and designated, to-wit:

"Commencing on a line with the east side of the street, projected northward west of P. L. Cable's residence, and thence westward through the public highway to the east end of Illinois street; thence on the north side of Illinois street to Madison street; thence along and across Madison street to block three (3) in Spencer and Case's addition to said city; thence across the alley in said block three (3) in said addition, across Jefferson street; thence along Jeffer-

son street to Mississippi street; thence along Mississippi street to the west end thereof across Ohio street; across Ontario street into Water street; thence along Water street to Pike street; thence southward through Pike street to the southern termination thereof."

Which said ordinance was afterward by an ordinance entitled, "An Ordinance Repealing Parts of Ordinances, passed May 26, A. D. 1869, and April 24, A. D. 1879, Relating to the Right of Way and Depot Grounds of the Rockford, Rock Island and St. Louis Railroad Company, and its Successors, the St. Louis, Rock Island and Chicago Railroad Company," passed May 17, A. D. 1880, amended by repealing such parts or portions of the same as gave and granted to the Rockford, Rock Island and St. Louis Railroad Company the right of possession and occupancy therefor, or the right and privilege of constructing, maintaining and using single or double tracks, sidetracks, turnouts or switches in, upon, along or across any street or streets within the city limits to the westward of the place to which the track or tracks of said Rockford, Rock Island and St. Louis Railroad Company, its successors or assigns, or either of them, had theretofore and up to the time of the passage of said repealing ordinance been constructed, and were then used and maintained. And,

WHEREAS, Said first above mentioned ordinance so passed May 26th, A. D. 1869, as aforesaid, in and by section one (1) thereof, provided:

"That any other railroad or railroads that may hereafter be constructed or which may hereafter seek a right of way through said city, shall have equal privileges on the main tracks to be constructed by virtue of this ordinance, by paying a proportional part of the cost of making and maintaining the same; and all such railroad companies which may operate under and take advantage of this section, including the said Rockford, Rock Island and St. Louis Railroad Company, shall be required to run their trains by time tables which do not conflict, and make all

other necessary arrangements for joint operation." And

WHEREAS, The St. Louis, Rock Island and Chicago Railroad Company is the grantee by _____ conveyance of the Rockford, Rock Island and St. Louis Railroad Company, its railroad, railroad property, franchise and right of way, and is now by its lessee, the Chicago, Burlington and Quincy Railroad Company operating its railroad, and

WHEREAS, The Rock Island and Eastern Illinois Railway Company, a corporation organized and existing under the laws of the State of Illinois, does now seek a right of way through this city, therefore,

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That equal privileges with the Rockford, Rock Island and St. Louis Railroad Company, and its grantee, the St. Louis, Rock Island and Chicago Railroad Company, and the lessee of the latter railroad company, the Chicago, Burlington and Quincy Railroad Company, on the main tracks constructed by virtue of the first above mentioned ordinance, passed May 26, A. D. 1869, as aforesaid, are hereby granted to the said Rock Island and Eastern Illinois Railway Company, and the said Rock Island and Eastern Illinois Railway Company may use the said main tracks and operate thereon jointly with said above mentioned railroad company, its grantee and the lessee of this grantee as aforesaid. Provided, further, that the said Rock Island and Eastern Illinois Railway Company, and the said Rockford, Rock Island and St. Louis Railroad Company, its grantee, the St. Louis, Rock Island and Chicago Railroad Company, and the lessee of the latter, the Chicago, Burlington and Quincy Railroad Company, be required to run their trains by time tables which do not conflict, and make all other necessary arrangements for joint operation; and, provided, further, that if the said Rock Island and Eastern Illinois Railway Company shall, under the rights and privileges conferred by this ordinance, connect its main tracks with the tracks and right of way

of the Davenport and Rock Island Bridge, Railway and Terminal Company at or near Thirteenth street, then the said company shall not operate or maintain any tracks along and over First avenue east of the east side of East Seventeenth (17th) street, under rights heretofore granted by ordinance to the Davenport and Rock Island Bridge, Railway and Terminal Company.

§ 2. The rights granted by section one of this ordinance last above, are hereby declared to be made upon the express and sole condition that the said Rock Island and Eastern Illinois Railway Company shall, before it shall have the right to enter upon any of the rights granted by this ordinance, first pay to the said St. Louis, Rock Island and Chicago Railroad Company, or its lessee, the said Chicago, Burlington and Quincy Railroad Company, one-half of the present cost and value of the main tracks as now constructed and used within said territory, and it shall also hereafter pay its proportionate share of the cost of maintaining the same, and on default thereof all rights granted by this ordinance shall terminate. (Passed February 9, 1898. 4 Mss. Ord., 29.)

ROCK ISLAND AND EASTERN ILLINOIS RAILROAD COMPANY.

An Ordinance amending an ordinance, entitled, "An Ordinance Granting the Right of Way and Other Rights and Privileges to the Rock Island and Eastern Illinois Railroad Company."

Be it ordained by the City Council of the City of Rock Island, Ill.: That the ordinance entitled, "An Ordinance Granting the Right of Way and Other Rights and Privileges to the Rock Island and Eastern Illinois Railroad Company," passed August 3, 1896, be amended by striking out, in section two (2) of said ordinance, the following:

From Forty-sixth (46th) to Forty-second (42d) street the said tracks shall be laid at any point between the Mississippi river and the north line of Third (3d) avenue extended, and insert instead the following: Permission is hereby granted to said Railroad Company to lay their tracks across and upon the following streets, to-wit: Forty-fifth (45th), Forty-fourth (44th), Forty-third (43d), and Forty-second (42d) streets, within fifty (50) feet south of the south line of Third (3d) avenue: so that said section, when so amended, shall read as follows:

Permission is hereby granted to said railroad company to lay their tracks across and upon any of the following streets, to-wit: Forty-fifth (45th), Forty-fourth (44th), Forty-third (43d) and Forty-second (42d) streets, within fifty (50) feet south of the south line of Third (3d) avenue; from Forty-second (42d) street to Twenty-sixth (26th) street, the said tracks shall be laid at any point between the north line of Fifth (5th) avenue and the Mississippi river; from Twenty-sixth (26th) street to Twentieth (20th) street, at any point between the north line of Third (3d) avenue and the Mississippi river; from Ninth (9th) street to southwestern limits of said city, north of the south line of Third (3d) avenue and west of Fourth (4th) street, and the city reserves the right to specify the exact location of such tracks by future ordinance or resolution, in case the location which may be made by said company may be deemed by the said City Council prejudicial to the public interest. (Passed June 29, 1899. 4 Mss. Ord., 87.)

DAVENPORT, ROCK ISLAND AND NORTHWESTERN RAILWAY.

An Ordinance granting to the Davenport, Rock Island and Northwestern Railway a certain described tract to be used for depot purposes.

Be it ordained by the City Council of the City of Rock

Island, Ill.: § 1. That the Davenport, Rock Island and Northwestern Railway Company is hereby granted the right and privilege to construct and maintain a depot with all the accompaniments necessary thereto, upon the following described tract of land in this city:

§ 2. The tract upon which the said railway company is hereby authorized to erect and maintain its said depot buildings is described as follows, to-wit: All the ground which lies west of the west line of East Seventeenth street, formerly East Eagle street, and east of the west line of West Seventeenth street, formerly West Eagle street, projected northward to and into the Mississippi river and lying north of a line drawn two (2) feet north of the north rail of the main track of the Rock Island and Peoria Railway Company, as the same is now used and operated, and running parallel therewith.

§ 3. The privileges herein granted are made in consideration of the erection by the said railway company of a depot to conform substantially with the plans which are to be left on file in the office of the City Clerk of Rock Island until the same are approved of by the City Council, and in further consideration that the work of said depot construction be begun five (5) days from the date of the passage of this ordinance.

§ 4. All ordinances or parts of ordinances in conflict with the declared intention of this ordinance in the desire to convey the tract above described to the said railway company for said purposes, are hereby repealed in so far as they do so conflict. (Passed September 17, 1900. 4 Mss. Ord., 157.)

ROCK ISLAND PLOW COMPANY TO LAY TRACK.

An Ordinance granting the right to lay sidetracks across First avenue, and Seventh and Eighth streets, to the Rock Island Plow Company.

Be it ordained by the City Council of the City of Rock Island: § 1. ——— That the Rock Island Plow Company be and it is hereby empowered to lay, construct and hereafter maintain the following switch tracks, to-wit: the center lines of which shall run as follows:

(a) Commencing at a point in the south track of the Chicago, Rock Island and Pacific Railroad Company (formerly the Rock Island and Peoria Railway track) as now located and constructed in First avenue in said city, at a point about one hundred and sixty (160) feet east of the east line of Eighth street if extending north; thence running westerly, curving to the south across First avenue in said city, the east rail of said track lying on to a point not less than twenty-five (25) feet west of the northwest corner of ——— block three (3) in the Chicago or Lower addition to the City of Rock Island; thence continuing to the southwest across Eighth street, curving to the north to a point in the west line of said street about fifty (50) feet south of the northeast corner of block four (4) in said Chicago or Lower addition; thence continuing through said block and across Seventh (7th) street on a tangent, leaving said block four (4) at a point about ninety (90) feet north of the north line of Second avenue in said city.

(b) Also a track leaving said south track of said Chicago, Rock Island and Pacific Railroad Company at a point about forty (40) feet east of the west line of said Eighth street if extended north; thence on a curve crossing said First avenue and leaving said avenue at a point about one hundred and twenty-five (125) feet west of the northeast corner of said block four (4); thence across said block four (4) and said Seventh street on a curve entering said Seventh street at a point about eighty (80) feet south of the north-
g.—

west corner of said block four (4), and leaving said Seventh street at a point about one hundred and ten (110) feet south of the northeast corner of block five (5) in said Chicago or Lower addition and connecting with said track described in division (a) above.

(c) Also the right to cross said Seventh street with a track leaving said track described in division (b) above, on the east line of said Seventh street, and curving to the north, leaving the west line of said Seventh street about one hundred (100) feet south of the northwest corner of said block five (5).

(d) Also a switch track leaving said track described in division (b) above, at a point about seventy-five (75) feet west of the east line of said block four (4) if extended north, and thence continuing west on a curve along said First avenue and across said Seventh street, leaving said Seventh street at a point about ten (10) feet south of the northeast corner of said block five (5) entering the property of the said Chicago, Rock Island and Pacific Railway Company, formerly the property of the Rock Island and Peoria Railroad Company.

§ 2. Said Rock Island Plow Company shall construct suitable and necessary crossings; also so properly planked over said tracks in said streets as may be required by the City Council of said city, and keep the same in good repair and place thereunder necessary drains and culverts which may be ordered by said City Council.

§ 3. The tracks to be laid pursuant to the provisions of this ordinance shall be laid under the supervision and to the satisfaction of the street and alley committee of said city.

§ 4. This ordinance is granted upon the understanding that the said Rock Island Plow Company will erect and complete within eighteen (18) months from the date of the passage of this ordinance, a six-story brick building at least seventy-five (75) by two hundred and thirty (230)

feet on said block five (5) in said Chicago or Lower addition, and that it will begin work on the same within one (1) year from the date of the passage of this ordinance, and failing so to do, this ordinance may be repealed at the pleasure of said City Council. (Passed July 7, 1902. 4 Mss. Ord., 234.)

LEWIS ROOFING COMPANY TO LAY TRACK.

An Ordinance granting to the Lewis Roofing Company permission to lay a single railroad track along First (1st) street in the City of Rock Island, Illinois.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Lewis Roofing Company, a corporation, be and is hereby authorized to lay, construct and maintain, along First (1st) street in the City of Rock Island, a single railroad track for the purpose of hauling cars and freight thereon. The said track is to be of standard width and is to run as follows:

Beginning on the main line of the C., R. I. & P. Railway, where it adjoins First (1st) street, running thence north along the west line of said First (1st) street to the south line of Twelfth (12th) avenue. The said track is not to occupy a strip to exceed thirteen (13) feet in width off the west side of said street.

§ 2. The said track, after the same is laid, is to be public property and it is to be open for the use of all parties desiring to use the same in a lawful and legitimate manner, and said track and connections are to be subject to all proper municipal control on the part of the city.

§ 3. Said Lewis Roofing Company agrees and promises, in consideration of the permission herein granted, that they will not construct, on any of their property adjacent to First (1st) street, a tar roofing factory or factory for the purpose of manufacturing tar roofing materials.

§ 4. A blue print showing the plan of the proposed track is hereto attached, marked "Exhibit A" and made a part of this ordinance. Said track to be laid under the supervision of the street and alley committee, the Mayor and city engineer. (Passed August 8, 1902. 4 Mss. Ord., 252.)

H. D. MACK TO LAY TRACK.

An Ordinance granting to H. D. Mack the right to lay a switch track across Twenty-second street.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That H. D. Mack, his heirs and assigns, are hereby empowered to lay, construct and maintain a track across Twenty-second street, the center line of which is to run as follows: Beginning at a point in the south sidetrack of the Chicago, Burlington and Quincy Railroad Company where said track crosses the east line of said Twenty-second street, thence by a curve to the south across said Twenty-second street, and adjacent alley, to lot six (6), in block six (6), in Spencer and Case's addition to the City of Rock Island.

§ 2. Said track shall be laid, constructed and maintained under the supervision and to the satisfaction of the street and alley committee of the City of Rock Island.

§ 3. Said track shall be subject to all general ordinances heretofore or hereafter passed, relating to railroad sidetracks in said city.

§ 4. Said tracks to be planked where same cross streets and alleys. (Passed August 18, 1902. 4 Mss. Ord., 255.)

ROCK ISLAND PLOW COMPANY TO LAY SIDETRACK.

An Ordinance granting the Rock Island Plow Company the right to lay a sidetrack in Second avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right be and is hereby granted to the Rock Island Plow Company, its successors and assigns, to lay down, maintain, use and operate a railway sidetrack in the City of Rock Island, the center line of which is described as follows:

Beginning at a point in the center line of the most southerly track of the Rock Island and Peoria Railway Company about fifteen (15) feet south of the south line of Second (2d) avenue extended, and running thence by a curve to the right to a point eight (8) feet south of the north line of Second (2d) avenue, and about forty (40) feet east of the east line of Fourth (4th) street; thence easterly and parallel with the north line of Second (2d) avenue to a point about fifty (50) feet west of the west line of Fifth (5th) street; thence by a curve to the right and a curve to the left to a point thirteen (13) feet south of the north line of Second (2d) avenue, and fifty (50) feet east of the west line of Fifth (5th) street; thence easterly and parallel to the south line of Second (2d) avenue to a point one hundred and fifteen (115) feet east of the east line of Fifth (5th) street.

§ 2. Said company shall not, by the construction of said track, obstruct any waterway, sewer or gutter, and it shall provide at its own expense, in accordance with specifications, to be approved by the said City Council, sufficient sluiceways, extension of sewers or gutters, under said track, and failing to do so said city shall have the right to construct the same at the expense of the said company. (Passed May 1, 1899. 4 Mss. Ord., 83.)

ROCK ISLAND BUGGY COMPANY TO LAY TRACK.

An Ordinance granting to the Rock Island Buggy Company the right to lay a track on First (1st) avenue in front of its property and connecting with the tracks of the Chicago, Burlington and Quincy Railroad Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right be and is hereby granted to the Rock Island Buggy Company, its successors and assigns, to lay down, maintain, use and operate a railway sidetrack on First (1st) avenue in the City of Rock Island to run as follows: Beginning at a point fifteen (15) feet and three (3) inches north of the point of intersection of the south line of said First (1st) avenue with the east line of Sixteenth (16th) street; thence running east parallel with the south line of said First (1st) avenue, and fifteen and three-tenths (15.3) feet distant therefrom two hundred (200) feet; thence by proper curves, to the north and east to be connected with the present south track of said Chicago, Burlington and Quincy Railroad Company, at a point opposite block O in that part of the City of Rock Island known as and called the "old town." A blue print of said proposed sidetrack is hereto annexed, marked "Exhibit A" and made a part hereof.

§ 2. The said company shall not, by the construction of said track, obstruct any waterway, sewer or gutter, and it shall provide at its own expense in accordance with the specifications to be approved by said City Council, sufficient sluiceways and gutters under said track, and failing to do so said city shall have the right to construct the same at the expense of the said company. Said railway company shall properly relay all the pavement between the rails of said track and adjacent thereto.

§ 3. The right is expressly reserved herein for any other person, firm or corporation desiring at any future time to lay a track across the right of way herein granted, to do so, after first obtaining the necessary permission from

the city, and the further right is reserved for any other person, firm or corporation to use or extend this track by paying their proportionate share of the original cost of construction, as paid by the Rock Island Buggy Company, if any has been paid by the said Rock Island Buggy Company.

§ 4. Said sidetrack may be used for switching purposes, and loaded cars may stand thereon but for such time only as may be necessary to unload the same and empty cars to be promptly loaded may stand thereon for the convenience of shippers for such reasonable time as may be necessary to load the same but such cars shall not be placed thereon or allowed to stand thereon for any other purpose, nor shall cars be allowed to remain indefinitely on said sidetrack, and engines shall not be allowed to stand on said sidetrack.

§ 5. In case said company shall fail at any time to use said switch track or shall prolate any of the terms of the ordinance, then said city may order the removal of said tracks and said company shall forthwith remove said sidetrack and restore the ground occupied by the same to as good condition for public travel as the same was prior to the construction of said sidetrack. (Passed January 11, 1904.)

ROCK ISLAND SASH AND DOOR WORKS TO LAY TRAMWAY TRACKS.

An Ordinance granting the Rock Island Sash and Door Works the right to lay certain tracks in Twenty-fifth (25th) street.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right and authority is hereby granted the Rock Island Sash and Door Works, a corporation, its successors and assigns, to lay down, construct, use and operate in Twenty-fifth (25th) street between the north

line of Third (3d) avenue, and the south line of the right of way of the Chicago, Rock Island and Pacific Railway Company, seven (7) tramway tracks leading from the new warehouse now in course of construction by said corporation upon lot five (5) in block one (1) in George L. Davenport's addition to said City of Rock Island, in a westerly direction across said street, a distance of thirty (30) feet to the westerly side thereof to connect with like tracks of said company to be constructed and maintained by said company upon its lands there situate: two of said tracks to extend from the south door on the west side of said warehouse and curve to the north across said street, and two of said tracks to extend from the middle door on the west side of said warehouse and to curve to the north across said street; one of said tracks to extend from the north door on the west side of said warehouse and curve to the north across said street and two of said tracks to extend from the west wall of said warehouse north of said north door, across said street, the gauge of said tracks to be two and one-half ($2\frac{1}{2}$) feet and said tracks to be constructed of two (2) inch "T" rail.

§ 2. For greater certainty of description of the location of said tracks, a blue print is attached to this ordinance showing the location of said tracks in white parallel lines, and the said blue print is hereby made a part of this ordinance.

§ 3. Said company shall not, by the construction of said tracks, obstruct any waterway, sewer or gutter and shall keep said tracks at all times, at its own expense, properly planked for the passage of teams and it shall at its own expense, in accordance with specifications to be approved by the City Council, provide sufficient sluiceways, extensions of sewers, or gutters, under said tracks, and failing to do so, said city shall have the right to construct the same at the expense of said company.

ROCK ISLAND SASH AND DOOR WORKS TO LAY SWITCH TRACKS.

An Ordinance granting the Rock Island Sash and Door Works the right to lay certain switch tracks in Twenty-fifth (25th) street.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the right and authority is hereby granted to the Rock Island Sash and Door Works, a corporation, its successors and assigns, to lay down, construct, operate and maintain in Twenty-fifth (25th) street north of the north line of Third (3d) avenue in said City of Rock Island, a certain switch track the center line of which is described as follows, to-wit: Beginning at a point of switch in the Chicago, Burlington and Quincy Railroad Company's main track, forty-nine and six-tenths (49.6) feet easterly from the east line of Twenty-fifth (25th) street, in the City of Rock Island, Illinois, at its intersection with the center line of said main track, said distance being measured along said center line; thence westerly a total of one hundred fifty-eight (158) feet to end, center line of said track at end being thirteen (13) feet southerly from said center line of main track measured at right angles thereto.

§ 2. For greater certainty of description of the location of said switch track a blue print is attached to this ordinance showing the location of said track in red parallel lines, marked "A," and said blue print is hereby made a part of this ordinance.

§ 3. Said company shall not by the construction of said track obstruct any waterways, sewers or gutters, and shall keep said track at all times, at its own expense, properly planked for the passage of teams and it shall at its own expense, in accordance with specifications approved by the City Council, provide sufficient sluiceways, extensions of sewers or gutters through said track, and failing to do so, the city shall have the right to construct the same at the expense of said company.

DAVENPORT, ROCK ISLAND AND NORTH WESTERN
RAILWAY COMPANY.

An Ordinance granting permission to the Davenport, Rock Island and Northwestern Railway Company to lay a sidetrack on Third (3d) avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: Permission is hereby granted to the Davenport, Rock Island and Northwestern Railway Company to lay a sidetrack across Third (3d) avenue in the City of Rock Island, in manner and form more particularly described as follows:

Beginning at a point on the west end of Third (3d) avenue, as platted in Sinnett's addition; thence crossing Third (3d) avenue, to a point ten (10) feet north and eighty (80) feet west of the southeast corner of Shallberg and Tropp's addition; thence east parallel to Third (3d) avenue to the east line of outlot four (4), Sinnett's addition to Sinnett's addition.

Said Davenport, Rock Island and Northwestern Railway Company shall construct suitable and necessary crossings, also to properly plank over said tracks in streets as may be required by the City Council of said city, and keep the same in good repair and place thereunder necessary drains and culverts, which may be ordered by said City Council.

The permission herein granted is made subject to the express conditions contained in ordinances heretofore granted by the City of Rock Island to the said Davenport, Rock Island and Northwestern Railway Company for the same purpose. (Passed December 12, 1903.)

ROCK ISLAND SASH AND DOOR WORKS TO LAY TRAM TRACKS.

An Ordinance granting to Rock Island Sash and Door Works, its successors and assigns, the right to lay down, construct, operate and maintain certain tram tracks in Twenty-sixth street.

Be it ordained by the Mayor and City Council of the City of Rock Island: § 1. That the right is hereby granted unto Rock Island Sash and Door Works, a corporation, its successors and assigns, to lay down, construct, operate and maintain in Twenty-sixth street in the City of Rock Island, four sets of tram tracks, each set of tram tracks to consist of three "T" rails, laid parallel to each other and five feet six inches (5-ft. 6-in.) apart, measured from center to center, the middle track of the several tracks to be respectively at the places designated as follows:

1. One set of three tracks, the middle track of which shall be distant north ten feet eight inches (10-ft. 8-in.) from the north line of Fourth avenue.

2. One set of three tracks, the middle track of which shall be distant north twenty-nine feet seven inches (29-ft. 7-in.) from the north line of Fourth avenue.

3. One set of three tracks, the middle track of which shall be distant north fifty feet nine inches (50-ft. 9-in.) from the north line of Fourth avenue.

4. One set of three tracks, the middle track of which shall be distant north seventy-one feet eleven inches (71-ft. 11-in.) from the north line of Fourth avenue.

Each set of tracks to extend into said Twenty-sixth street to a point seven (7) feet west of the east line thereof, and to be laid and maintained at right angles to said east line of said street, and each of said four sets of tracks to connect with like tracks extending into the property of said Rock Island Sash and Door Works adjacent to said street, the said tracks to be used by said Rock Island Sash and

Door Works, its successors and assigns, on which to operate push trucks for the purpose of conveying lumber into and out of its said property and loading the same from or on to wagons in said Twenty-sixth street.

§ 2. The grade of the top of said tracks shall not exceed sixteen inches above the present grade of the street as now established.

§ 3. The said Rock Island Sash and Door Works, its successors and assigns, shall pave that portion of Twenty-sixth street between the said rails with paving of suitable quality, flush with the top of the rails, when so laid as aforesaid, and shall thereafter maintain the same in good condition at its own expense.

§ 4. The said Rock Island Sash and Door Works, its successors and assigns, shall not in the laying or maintaining of said tracks obstruct any waterways, sewer or drain in said street.

Passed February 7, 1910.

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That H. C. Connelly, Wm. Jackson, E. D. Sweeney, Samuel C. Plummer, Phil Mitchell, A. S. Dart, H. C. Cleaveland, John T. Noftsker, August H. Liitt, W. T. Magill, H. C. Whitridge, E. D. W. Holmes, Chas. Hansgen, August Huesing, Theodore C. Wakefield, Wm. H. Hayes, and any others who may join in its construction before its completion, shall have the right to construct and maintain a sewer to connect with the public sewer on Twenty-first street, on the corner of said street and Sixth avenue, running thence directly south to a feasible point on Seventh avenue; thence west along said Seventh avenue to the center of the alley in block two (2), in Spencer's third addition to said city; thence south through the center of said

alley to a feasible point on Eighth avenue; thence west along said Eighth avenue to the center of Twentieth street; thence south along the center of said Twentieth street to a point in the center of said street east of the north line of the corner lot now owned and occupied by Charles Hansgen.

§ 2. The sum of one hundred and ten (\$110) dollars is hereby appropriated to be used in constructing said sewer across Sixth, Seventh and Eighth avenues, and the east forty (40) feet on Twentieth street.

§ 3. No one shall be permitted to connect directly or indirectly, with said sewer, without first paying to the City Clerk one-sixteenth of the whole of the original cost of construction thereof, and receiving a written permit from said clerk to connect therewith. The money paid to said clerk shall be equally distributed amongst the original contributors herein mentioned, their heirs, executors or administrators.

§ 4. A violation of any of the provisions of this ordinance shall subject the person so offending to pay to the magistrate fixing the fine, not less than fifty (\$50) dollars, nor more than one hundred (\$100) dollars. This fine shall be equally distributed as provided in section three of this ordinance. (Passed November 6, 1882. 2 Mss. Ord., 130.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Charles H. Stoddard, Samuel S. Guyer, Seth Morgan, Charles L. Walker, Mrs. J. W. Spencer, and their associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense, a private sewer, to run as follows: Beginning at or near the point of intersection of Eighth avenue in said city with Nineteenth street; thence north in said street to

or across Seventh avenue; thence west on said avenue to or across Eighteenth street, and thence north on said street, to intersect and connect with the present stone sewer now in said Eighteenth street.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same, under the direction of the street and alley committee of said city; and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter, without first paying to the City Clerk of said city, their equitable proportion of the cost of the construction thereof, up to the date of such connection; the amount so paid to said clerk to be divided between said city and said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. The City of Rock Island shall pay the sum of seventy-five (\$75) dollars for the purpose of laying said sewer across Seventh and Eighth avenues, and Eighteenth and Nineteenth streets, which sum is hereby appropriated.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed November 6, 1882. 2 Mss. Ord., 131.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Thomas Murdock, J. S. Gilmore, Emil Koehler, C. A. Benser and their associates, be and they are hereby authorized and empowered to construct, maintain and repair at their sole expense a private sewer to run as follows: Beginning at or near the point of the alley on

Eleventh street, between Second and Third avenues, down to the Fifth avenue sewer.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of said city; and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter, without first paying the City Clerk of said city their equitable proportion of the cost of the construction thereof, up to the date of such connection; the amount so paid to said clerk to be divided between the city and said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. The City of Rock Island shall pay the sum of sixty (\$60) dollars for the purpose of laying said sewer across Third, Fourth and Fifth avenues, which sum is hereby appropriated.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars, nor more than fifty (\$50) dollars. (Passed May 9, 1883. 2 Mss. Ord., 141. Published May, 1883.)

PRIVATE SEWER.

An Ordinance for the construction of a Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That R. Crampton, T. J. Robinson, administrator of the estate of Wm. Henderson, A. W. Bruner, Ben Hartz, Ann Dowling, Owen Lee, Wood B. Hill, Morris T. Stafford, Wm. Jackson, assignee of Alvin Hull, Ben Wilson, Henry R. Maskery, Board of Education of Rock Island School District, Robert Coyne, Christ Dindinger, Jacob Scherer, John Weiss, John Coyne and any others who may

join in its construction before its completion, shall have the right to construct and maintain a sewer to connect with the public sewer on Third avenue where the same intersects the center of Nineteenth street to center of the alley south of block ten (10) in J. W. Spencer's first addition to Rock Island; thence running east along the center of said alley to the center of the alley running north and south through block one (1) in J. W. Spencer's second addition to Rock Island; thence running directly south along the center line of said alley to a point on or near the south side of Sixth avenue.

§ 2. The sum of two hundred and eighteen (\$218) dollars is hereby appropriated to be used in constructing said sewer across Third, Fourth, Fifth and Sixth avenues from the sewer fund.

§ 3. No person shall be permitted to connect directly or indirectly with said sewer without first paying to the City Clerk one-twentieth (1-20) of the whole of the original cost of construction thereof and receiving a written permit from said clerk to connect therewith. The money paid to said clerk shall be equally distributed among the original contributors herein mentioned, their heirs, executors and administrators, including as one contribution the City of Rock Island.

§ 4. A violation of any of the provisions of this ordinance shall subject the person so offending to pay the magistrate fixing the fine, not less than fifty (\$50) dollars, nor more than one hundred (\$100) dollars. (Passed July 13, 1885. 2 Mss. Ord., 182.)

PRIVATE SEWER.

An Ordinance relating to Private Sewers.

Be it ordained by the City Council of the City of Rock Island: § 1. That Fred Hilfinger, Daniel Corken, John

Littig, Bailey Davenport, Henry Siemon, Mrs. John Dietz, David Hillier, James Kinney and Peter Sommer, and their associates, be and they are hereby authorized and empowered to construct, maintain and repair at their sole expense, a private sewer, to run as follows: Beginning at a point in the center line of Fifteenth street, near the south line of Seventh avenue, thence running north along the center of said Fifteenth street to intersect the city sewer on Fifth avenue at or near the center line of said Fifteenth street.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer and shall construct and repair the same under the direction of the street and alley committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof to the date of such connection, the amount so paid to said clerk to be divided between the city and said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. The City of Rock Island shall pay the sum of sixty (\$60) dollars for the purpose of laying said sewer across Seventh, Sixth and Fifth avenues, which sum is hereby appropriated.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed August 3, 1885. 2 Mss. Ord., 185.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Esther Kale, Peter Fries, Annette H. h.—

Guyer, the Norris estate, Alice Burrall and Eunice G. Carter, and their associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense, a private sewer, which they have built, running east through the alley in block thirteen (13), old town of Rock Island, to the city sewer in Seventeenth street.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter, without first obtaining the consent in writing of the majority of owners of said sewer and paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection; the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed October 5, 1885. 2 Mss. Ord., 192.)

PRIVATE SEWER.

An Ordinance for the construction of Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rock Island Lumber and Manufacturing Company, Weyerhaeuser & Denkmann, F. C. Denkmann, and their associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense a private sewer to run as follows: From the main sewer on Fifth avenue east of Twenty-seventh street along Twenty-seventh street to Sixth avenue.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying the City Clerk of said city their equitable proportion of the cost of the construction thereof, to be determined, in case of disagreement, by direction of the City Council; the amount so paid to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed January 7, 1889. 2 Mss. Ord., 296.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That E. G. Frazer, Chr. Schreiner, George Darrah, and their associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense, a private sewer of twelve-inch pipe of good glazed tile, to run as follows: Beginning at the intersection of the alley between Third avenue and Fourth avenue in said city with Twelfth street, thence south in said street to Fifth avenue and there to connect with the main sewer on said Fifth avenue.

§ 2. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of said city. Provided, that the said city retains the privilege at any

time by act of the City Council to declare said sewer a public sewer, in which case said city shall pay to the said parties and their associates, their heirs and assigns, the appraised valuation of said sewer at the time the same is so declared a public sewer, said valuation to be fixed by three persons, one to be selected by said City Council, one by the said named parties and their associates, their heirs and assigns, and the third to be selected by the two appraisers selected as aforesaid.

§ 3. No person or persons shall be permitted to connect with said sewer for any purpose whatsoever or to let flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 4. The sum of fifty (\$50) dollars is hereby appropriated to be used in constructing said sewer across the alley next south of Third avenue, Fourth avenue, and Fifth avenue to the main sewer.

§ 5. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed September 16, 1889. 2 Mss. Ord., 342.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Frank Eckhart and his associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense a private sewer to run as follows: Beginning at or near the center

of an alley in block three (3), Thompson and Wells' addition, thence running east to Fourteenth street to the Fifth avenue sewer.

§ 2. The said named party and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall conduct and repair the same under the direction of the superintendent of streets of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever or to flow therein any liquid or other matter, without first paying the City Clerk of said City their equitable proportion of the cost of the construction thereof, up to date of such connection; the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed October 20, 1890.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Porter Skinner, George Wagner and their associates, be, and they are hereby authorized and empowered to construct and maintain and repair at their sole expense a private sewer of twelve (12) inch pipes of good glazed tile to run as follows: Beginning at a point on the south side of Fifth avenue, one hundred and twenty (120) feet west of the west line of Thirty-first street and running thence a distance of eleven hundred and twenty (1,120) feet along said south side of Fifth avenue to connect with a viaduct.

§ 2. The said named parties and their associates,

their heirs and assigns, shall have exclusive control of said sewer and shall construct the same and repair under the direction of the street and alley committee of said city. Provided, that the said city shall pay to the parties then owning said sewer, the appraised valuation of said sewer at the time the same shall be declared a public sewer; such valuation to be fixed by three persons, one of whom shall be selected by said parties, one by the City Council and the third to be selected by the other two.

§ 3. The said parties and their associates or their heirs or assigns, shall, upon the completion of said sewer, deposit with the City Clerk an itemized written statement of the cost of the construction thereof.

§ 4. No person or persons shall be permitted to connect with the said sewer for any purpose whatever or to flow therein any liquid or other matter without first paying to the City Clerk his or their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to be divided between them respectively for the construction thereof.

§ 5. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) nor more than fifty (\$50) dollars. (Passed August 3, 1891. 3 Mss. Ord., 8.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Rock Island County for the use of the county buildings are hereby authorized and empowered to construct and maintain and keep in repair at their sole expense a private sewer to run as follows, to-wit: From the main sewer on Fifth avenue north on Fourteenth street along the center of said Fourteenth street to a point about fifty (50) feet south of Second avenue.

§ 2. The said named private sewer to be constructed of ten (10) inch tile with the necessary Ts and crosses laid under the supervision of the superintendent of streets. The said county shall have exclusive control of said sewer and no person or persons shall be permitted to connect therewith for any purpose whatever or to flow therein any liquid or other matter without first paying to said county their equitable proportion in accordance with their frontage, except the property donated to the city by Mr. O. J. Dimick, now held in trust by Mr. Jackson, to be sold for the benefit of Spencer square, which property shall be allowed to connect free.

§ 3. Whoever shall violate any of the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed April 18, 1892. 3 Mss. Ord., 32.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Otto Grotjan, Anastasia Murphy, J. W. Stark, A. J. Harris, C. L. Walker and their associates, be, and they are hereby authorized and empowered to construct, maintain and repair, at their sole expense, a private sewer to run as follows: Beginning at or near the point of intersection of the north line of Sixth avenue in said city with the south end of the alley in what is known as Harper's addition to said city; thence north in said alley to its intersection with the first east and west alley along the north side of said addition; thence east along said last named alley to connect with the sewer now in Twenty-first street in said city, and shall be of eight (8) inch glazed vitrified tile.

§ 2. The said named parties and associates, their heirs and assigns, shall have exclusive control of said sewer,

and shall construct and repair the same under the direction of the street and alley committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter, without first paying to the City Clerk of said city their equitable proportion of the construction thereof, up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than (\$50) dollars.

§ 4. Power is hereby reserved to declare and make said sewer a public sewer on payment by the city to the said parties or their assigns of the value of such sewer, at the time it is desired to make the same a public sewer; such value to be determined by arbitrators, one to be appointed by said city, the other by a majority of said parties, and the two thus chosen to select the third. If they are unable to determine the value thereof the expenses of such appraisalment to be borne equally by the city and said named parties. (Passed June 5, 1893. 3 Mss. Ord., 122.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Charles E. Evans and his associates, be, and they are hereby authorized and empowered to construct, maintain and repair at their sole expense a private sewer to run as follows: Commencing at a point on the north line of lot seven (7) in block fifteen (15) in Spencer and Case's addition to the City of Rock Island, running thence northwesterly across the alley to the alley running

north and south in said block, thence north along said last named alley to connect with the sewer now in Third avenue in said city, and shall be of eight (8) inch glazed vitrified tile.

§ 2. That said named party and his associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of the City Council of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than (\$50) dollars.

§ 4. Power is hereby reserved to declare and make said sewer a public sewer on payment by the city to said parties or their assigns of the value of such sewer at the time it is desired to make the same a public sewer; such value to be determined by arbitrators, one to be appointed by the said city, the other by a majority of said parties, and the two thus chosen to select the third; if they are unable to determine the value thereof, the expenses of such appraisement to be borne equally by the city and the said named parties. (Passed June 19, 1893. 3 Mss. Ord., 120.)

PRIVATE SEWER.

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That John Lauerman be and he is hereby

authorized and empowered to construct, maintain and repair, at his sole expense, a private sewer to run as follows, to-wit: Commencing at a point twenty (20) feet west of Twenty-fourth street, and ten (10) feet south of the building line on the north side of Third avenue in said City of Rock Island, and running thence west on and along said avenue to Twenty-third street, there to connect with the sewer on said Twenty-third street; said sewer shall be of eight (8) inch glazed vitrified tile.

§ 2. That said named party, his heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the superintendent of streets and the street and alley committee of the City Council of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or flow therein any liquid or other matter without first paying to the City Clerk of said city his or their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said Lauerma and all such persons who have, from time to time, connected and paid in accordance herewith, in proportion to the amount so paid.

§ 3. The contractor or builder of said sewer shall within thirty (30) days after the completion thereof file in the office of the City Clerk of said city a statement under oath of the cost of construction of such sewer.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars.

§ 5. Power is hereby reserved to declare and make said sewer a public sewer on payment by the city to said party or parties, their heirs or assigns, of the value of the sewer at the time it is desired to make the same a public sewer; such value to be determined by arbitrators, one to be appointed by the said city, the other by said party or

those who have contributed to the cost thereof, and the two thus chosen to select the third, if they are unable to determine the value thereof; the expenses of such appraisement to be borne equally by the city and the said named parties. (Passed October 2, 1893. 3 Mss. Ord., 141.)

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Wm. Bleuer, Amelia S. Pollard, Jennie A. Kane, Eliz. Trenkenschuh, J. H. Kirsch, be, and the same are hereby authorized and empowered to construct, maintain and repair at their sole expense a private sewer to run as follows, to-wit: Commencing at a point twenty-six (26) feet north of the south line of lot 9, Buford's second addition to the City of Rock Island, running thence north on Eighteenth street to a point at Eighteenth street and Seventh avenue, and there connect with the sewer of Dr. G. G. Craig.

§ 2. That said named parties and their heirs and assigns shall have exclusive control of said sewer, and shall construct and repair the same at their sole cost, and no person or persons shall be permitted to connect therewith for any purpose whatsoever or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between the said parties and all such persons who have from time to time connected and paid in accordance herewith in proportion to the amount so paid.

§ 3. The contractor or builder of said sewer shall within thirty (30) days after the completion thereof file in the office of the City Clerk of said city, a statement under oath of the cost of construction of such sewer.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than five (\$5) dollars or more than twenty-five (\$25) dollars.

§ 5. Power is hereby reserved to declare and make said sewer a public sewer on payment by the city to said parties, or their heirs or assigns, of the value of the sewer at the time it is desired to make the same a public sewer, such value to be determined by arbitration, one to be appointed by said city, the other by said party or those who have contributed to the cost thereof, and the two thus chosen to select the third if they are unable to determine the value thereof, the expense of such appraisement to be borne equally by the city and the said named parties. (Passed August 20, 1894. 3 Mss. Ord., 217.)

An Ordinance for the construction of a Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That Morris S. Heagy, Samuel E. Walters, Mrs. C. Sullivan, M. J. Murphy and J. P. McCaffery be and they are hereby authorized and empowered to construct a private sewer to run as follows, to-wit: Beginning at a point in the center of Twenty-second street seven (7) feet south of the north line of Ninth avenue, at the intersection of said Ninth avenue with Twenty-second street, said point being the south terminus of the present sewer on said Twenty-second street, and running thence south along and upon the center line of said Twenty-second street as near as may be, three hundred and fifty (350) feet.

§ 2. Said sewer shall be constructed of glazed sewer tiling ten (10) inches in diameter, and under the direction of the Mayor and the sewer committee of the City of Rock Island.

§ 3. Upon the completion of the above described sewer, as per specifications, the same shall be ceded by the above named parties to the City of Rock Island.

§ 4. The City of Rock Island shall pay the sum of thirty-five (\$35) dollars for the purpose of laying said sewer across Ninth avenue from the point of beginning,

which sum is hereby appropriated. (Passed November 5, 1894. 3 Mss. Ord., 237.)

An Ordinance for the construction of a Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That John Palmquist be, and he is hereby authorized, to construct a private sewer, to commence at a point on the north side of Sixth avenue, one hundred and twenty (120) feet west of the west property line of Forty-fifth street, thence diagonally to the center line of Sixth avenue, to connect with the sewer in said avenue at the nearest T.

§ 2. Said sewer shall be constructed of good six (6) inch sewer tile, and shall be laid under the supervision of the street and alley committee.

§ 3. Said sewer, when completed, shall be ceded to the City of Rock Island. (Passed March 25, 1895. 3 Mss. Ord., 295.)

An Ordinance for the construction of a Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That E. D. Sweeney, Louis Mosenfelder, Jonas Bear and Eli Mosenfelder shall have the right to construct and maintain an eight (8) inch sewer on Ninth avenue, from its intersection with Fifteenth street west and along said avenue to its intersection with Twelfth street, and there to connect with the sewer now on said Twelfth street.

§ 2. That said named persons shall construct said sewer at their own cost and expense, under the direction and control of the sewer committee of said City Council. The amount of which cost and expense shall be reported to the clerk of said city, who shall keep a record of the same.

§ 3. That any person seeking to connect with said sewer shall first ascertain from the said clerk the amount of the cost of constructing said sewer along the line of the premises of such persons seeking such connections, and by first paying to said clerk the amount so ascertained, such persons shall then have the right to connect with said sewer, which amount so received shall be paid over by said clerk to the said E. D. Sweeney, Louis Mosenfelder, Jonas Bear and Eli Mosenfelder, or their representatives or assigns.

§ 4. That said sewer shall be under the control of said city, and it shall not permit any connection therewith except as provided in said section three of this ordinance. (Passed November 4, 1895. 3 Mss. Ord., 361)

An Ordinance relating to Private Sewer.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Rock Island Brewing Company shall have the right to construct and maintain a sewer on Sixth street to connect with the public sewer on Fifth avenue. The said sewer is to be laid with eight (8) inch tile and is to begin at a point about forty feet south of the south line of Seventh avenue at the intersection of Sixth street, on said Sixth street and extend north on Sixth street to the main sewer on Fifth avenue.

§ 2. No one shall be permitted to connect directly or indirectly with said sewer without first paying to the City Clerk their proportionate share of the whole of the original cost of construction thereof, the said share to be determined by the Mayor and City Clerk of Rock Island, and receiving a written permit from said clerk to connect therewith. The money paid to said clerk shall be paid to the Rock Island Brewing Company, their heirs or assigns.

§ 3. A violation of any of the provisions of this ordinance shall subject the person so offending to pay to the magistrate fixing the fine at not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars. (Passed July 2, 1900. 4 Mss. Ord., 138.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Oswald Thiele and Mrs. Martin Erbs be, and they are hereby authorized and empowered to construct and maintain and repair, at their sole expense, a private sewer to run as follows: Beginning on the south side of Fifth avenue, thence running north on and along the center line of Twenty-sixth street, as near as practicable to Fourth avenue. Said sewer to connect with and open into the present existing Fourth avenue sewer. Permission is also hereby granted to construct a catch basin on the south side of Fifth avenue at its intersection with Twenty-sixth street.

§ 2. The city of Rock Island shall pay the sum of eighty (\$80) dollars for the purpose of laying said sewer across Fifth avenue, and for benefits incurred because of the construction thereof.

§ 3. The said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer and shall construct and repair the same under the direction of the sewer committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter, without first paying to the City Clerk of said city, their equitable proportion of the cost of the construction thereof to the date of such connection, the amount paid to said clerk to be divided between the city and said named parties. The city to receive one-half of the amount so paid and the parties above named to receive the other one-half.

§ 4. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed July 16, 1900. 4 Mss. Ord., 142.)

An Ordinance for the construction of a Private Sewer.

Be it ordained by the City Council of the City of Rock

Island, Ill.: § 1. That the Modern Woodmen of America, a corporation, be and is hereby authorized and empowered to construct, maintain and repair at its sole expense, a private sewer, the said sewer to be of eight (8) inch tile, and to run as follows, to-wit: Beginning in the alley in the rear of the Modern Woodmen building, on lot four (4), in block fifteen (15), in old town, thence running west along said alley to Fifteenth (15th) street and south along Fifteenth (15th) street to connect with and empty into the existing Fifth (5th) avenue sewer.

§ 2. The said named party and its associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof, to be determined, in case of disagreement, by direction of the City Council, the amount so paid to be divided between said named party or parties in proportion to the amount originally paid by them respectively for the construction thereof. The said sewer, when completed, is to be and become the property of the City of Rock Island.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed August 4, 1902. 4 Mss. Ord., 237.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Frank B. Evans, James Burris, Anton Kick and J. J. Held, be and they are hereby authorized and empowered to construct, maintain and repair, at their sole expense, a private sewer to run as follows: Beginning in the intersection of Eleventh (11th) street and

Eighth (8th) avenue and connecting same with the existing Eleventh (11th) street sewer, thence running east on Eighth (8th) avenue two hundred (200) feet more or less. The said sewer shall be of eight (8) inch glazed, vitrified tile.

§ 2. That said named parties and their associates, their heirs and assigns, shall have exclusive control of said sewer, and shall construct and repair the same under the direction of the street and alley committee of the City Council of said city, and no person or persons shall be permitted to connect therewith, for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed July 21, 1902. 4 Mss. Ord., 238.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That L. Gosselin, Mrs. Emma Reticker, William T. Sexton, L. F. Robinson, Miss Margaret Repine, the Union Mission, and their associates, are hereby authorized and empowered to construct, maintain and repair, at their sole expense, a private sewer to run as follows: Beginning at a point in the center of an alley as now situated (said alley running east and west in block nineteen (19) in Chicago or Lower addition to the City of Rock Island, Illinois) the said point being located two hundred (200) feet more or less, east of the east line of Eighth (8th) street i.—

where it adjoins said alley, and running from said point west along said alley to Eighth street, thence south along Eighth (8th) street to Fifth (5th) avenue, the said sewer to connect with and empty into the existing Fifth (5th) avenue sewer. The said sewer to be of eight (8) inch sewer tile.

§ 2. That said named parties and their associates, their heirs and assigns, shall construct and repair the said sewer under the direction of the street and alley committee of the City Council of said city and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amount originally paid by them respectively for the construction thereof. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed August 4, 1902. 4 Mss. Ord., 239.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Walter Fowler and A. Kail and their associates are hereby authorized and empowered to construct, maintain and repair, at their sole expense, a private sewer to run as follows: Beginning at a point in the alley running east and west in block three (3) in Chicago or Lower addition to the City of Rock Island, which said point is about seventy-five (75) feet west of the west line of Ninth (9th) street, said sewer to connect with and empty into the existing sewer running from Ninth (9th)

street to that point, thence west along said alley to a point one hundred and twenty (120) feet west of the place of beginning, the said sewer to be of eight (8) inch sewer tile.

§ 2. That said named parties and their associates, their heirs and assigns, shall construct and repair the said sewer under the direction of the street and alley committee of the City Council of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said parties in proportion to the amount originally paid by them respectively for the construction thereof. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed August 4, 1902. 4 Mss. Ord., 240.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Wm. Trefz and Wm. Bailey, and their associates, are hereby authorized and empowered to construct, maintain and repair, at their sole expense, a private sewer to run as follows: Said sewer is to run from Eighteenth (18th) avenue to Sixteenth (16th) avenue on Fifteenth (15th) street. It is to be eight (8) inches in diameter, and is to connect with and empty into the existing sewer at the intersection of said Sixteenth (16th) avenue and Fifteenth (15th) street.

§ 2. That said named parties and their associates, their heirs and assigns, shall construct and repair the said

sewer under the direction of the street and alley committee of the City Council of said city, and no person or persons shall be permitted to connect therewith for any purpose whatsoever, or to flow therein any liquid or other matter without first paying to the City Clerk of said city their equitable proportion of the cost of the construction thereof up to the date of such connection, the amount so paid to said clerk to be divided between said named parties in proportion to the amounts originally paid by them respectively for the construction thereof. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars. (Passed September 4, 1902. 4 Mss. Ord., 255.)

An Ordinance relating to the construction of a Private Water Main.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That William Heidermann and Frederick Dasso shall have the right to construct a twelve (12) inch water main on Eleventh (11th) street running south from the six (6) inch water main on Twelfth (12th) avenue to the alley of Heidermann and Dasso's addition and a six (6) inch water main in said alley running west to the west line of Tenth (10th) street.

§ 2. That said named persons shall construct said water main at their own expense, under the direction and control of the Board of Local Improvements.

§ 3. The water main when completed shall be the property of the City of Rock Island. (Passed October 12, 1908.)

An Ordinance for the construction of a Private Water Main.

WHEREAS, A certain ordinance was passed by the City Council of the City of Rock Island, on the 6th day of July, A. D. 1908, relating to the construction of a certain water main on First (1st) street by special taxation and it is the desire of the property owners interested that the same be done by private contract.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Valentine Nold, Fred C. Denkmann and Swain Pearson be, and they are authorized to construct a private water main on First (1st) street from the water main on Sixth (6th) avenue at the C., R. I. & P. Railway Company's right of way north to Fifth (5th) avenue and south on First (1st) street two hundred and fifty (250) feet south of Sixth (6th) avenue. Said Water main shall conform to the specifications of said ordinance.

§ 2. That said named parties shall construct said water main at their own cost and expense, under the direction and control of the Board of Local Improvements. That the amount of which cost shall be reported to the Clerk of said city, who shall keep a record of the same.

§ 3. That each of the property owners on said portion of First (1st) street shall not be required to pay water rent on his respective property fronting on the line of improvement until his water rent shall exceed his share of the cost of construction of the said water main.

§ 4. Said watermain, when completed, shall be and become the property of the said City of Rock Island.

§ 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed. (Passed September 14, 1908.)

An Ordinance relating to the construction of a Private Sewer.

WHEREAS, A certain ordinance was passed by the City Council of the City of Rock Island, on the 20th day of July,

A. D. 1908, relating to the construction of a certain sewer on First (1st) street from the sewer on Fifth (5th) avenue to a point two hundred and fifty (250) feet south of the south line of Sixth (6th) avenue, to be paid for by special taxation and it is the desire of the property owners interested that the same be done by private contract.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Valentine Nold, Fred C. Denkmann and Swain Pearson be and they are hereby authorized to construct a private sewer on First (1st) street from Fifth (5th) avenue to two hundred and fifty (250) feet south of the south line of Sixth (6th) avenue which said sewer shall conform to the requirements and specifications of the said ordinance passed the 20th day of July, A. D. 1908.

§ 2. That the said named parties shall construct said sewer at their own cost and expense, under the direction and control of the Board of Local Improvements. That amount of which cost shall be reported to the Clerk of said city, who shall keep a record of the same.

§ 3. Said sewer, when completed, shall be and become the property of the said City of Rock Island.

§ 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed. (Passed September 14, 1908.)

An Ordinance providing for the construction of a ten (10) inch sewer on Fourth street, from Third avenue to Fourth avenue, then east on Fourth avenue to within one hundred (100) feet of Fifth street.

Be it ordained by the City Council of the City of Rock Island, Ill.: That a local improvement shall be made by the construction of a ten (10) inch sewer as near as practical along the center of Fourth (4th) street, from the center of Third (3d) avenue, to the north line of Fourth (4th)

avenue, thence east on Fourth (4th) avenue to a point within one hundred (100) feet of Fifth (5th) street, together with the necessary wyes, flush boxes and catch-basins, in the City of Rock Island, State of Illinois, of the nature, character, locality and description hereinafter designated and described.

§ 1. That a ten (10) inch sewer shall be constructed, located and laid along, as near as practical to the center line of Fourth (4th) street, from Third (3d) avenue to Fourth (4th) avenue, thence east to within one hundred (100) feet of Fifth (5th) street in a trench the elevation of the bottom of which is six (6) feet below the grade of said street as established by the ordinances of said city. There shall be put in said trench wyes to the number of twenty (20) in places as designated, said wyes to be approximately forty-five (45) feet apart facing to both sides of the street, said distance of forty-five (45) feet to be varied as required for proper house connection; also two (2) ten (10) inch wyes to be located at places designated by the City Engineer to be connected to catch-basins as hereinafter provided:

One flush box shall be built on Fourth (4th) avenue, to be six (6) inches in size and brought up to grade and covered with a standard iron cover.

All sewer pipes to be best vitrified sewer pipe, and all joints are to be carefully cemented with a cement mortar composed of one part of cement to three parts of river sand. The dead end of sewer and wyes are to be copped with an earthen plug and cemented.

All trenches to be back-filled and tamped and street to be left in condition before trenching and to be maintained for a period of two years. Two catch-basins are to be built at the north curb line of Fourth (4th) street and Fourth (4th) avenue. They are to be rectangular in plan, and of the regular city pattern.

Grades are to be given by the City Engineer and are

to be done under the supervision of the City Engineer and Plumbing Inspector.

§ 2. The total cost of the above described improvement shall be paid by the property benefitted thereby, with the exception of the catch-basins, which shall be built and paid for by the City of Rock Island, and when said sewer is completed and accepted it is to become the property of the said City of Rock Island. (Passed September 17, 1906.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That D. C. Strecker, J. Kroegel and their associates, are hereby authorized and empowered to construct, at their sole expense, a private sewer to be laid and run as follows: The said sewer is to be laid of ten (10) inch sewer tile and is to run east and west in the alley in block twenty (20) in "old town" in the City of Rock Island. The said sewer is to connect with the sewer now laid along Tenth (10th) street and empty into the same.

§ 2. That said named parties and their associates, their heirs and assigns, shall construct the said sewer under the direction of the street and alley committee of the City Council of said city, and no person or persons other than those parties to its original construction shall be permitted to connect therewith, for any purpose, unless the permission of the City Council to so connect is first obtained. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars nor more than fifty (\$50) dollars for each offense. (Passed July 11, 1904.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That P. N. Kahlke, John Bladel, Elizabeth Berry, Charles B. Ritze, and their associates, be and they are hereby authorized and empowered to construct and lay a private ten (10) inch sewer along the middle of Third (3d) street in the City of Rock Island, from the north line of Fourth (4th) avenue to and connecting with the Fifth (5th) avenue sewer, such sewer to be built at the sole expense of the above parties, and to be constructed under the direction of the City Engineer and Sewer Inspector of said city.

§ 2. Said sewer, when completed and paid for, shall become the property of the City of Rock Island, Illinois, and no person or persons other than those parties to its original construction shall connect therewith for any purpose without having first received permission so to do from the City Council of Rock Island.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars and not more than fifty (\$50) dollars. (Passed June 12, 1905.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Rock Island Brewing Company be, and hereby is, authorized and empowered to construct and lay a private sewer along Third (3d) street in the City of Rock Island, from Seventh (7th) avenue therein to and connecting with the Fifth (5th) avenue sewer, said sewer to be built at the sole expense of the above named company, and to be constructed and laid under the direction and supervision of the City Engineer and Sewer Inspector of said city.

§ 2. Said sewer, when completed and paid for, shall

become the property of the City of Rock Island; and no person or persons other than its original constructors shall connect therewith for any purpose without first having received permission so to do from the City Council of the City of Rock Island. (Passed July 3, 1905.)

An Ordinance providing for the construction of a fifteen (15) inch sewer on Thirty-fifth street, from the south line of Seventh avenue north and connecting to the culvert, one hundred and fifty (150) feet south of Fifth (5th) avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That local improvement shall be made by constructing a fifteen (15) inch sewer as near as practical along the center line of Thirty-fifth (35th) street, from the south line of Seventh (7th) avenue, north to the culvert one hundred and fifty (150) feet south of Fifth (5th) avenue, together with the necessary lamp holes and wyes, in the City of Rock Island, State of Illinois, of the nature, character, locality and description hereinafter designated and described.

That a fifteen (15) inch sewer shall be constructed, and located and laid along as near as practical to the center line of Thirty-fifth (35th) street, from the south line of Seventh (7th) avenue, north to the culvert one hundred and fifty (150) feet south of Fifth avenue, in a trench the elevation of the bottom of which shall be eight (8) feet below the grade of said street. Six (6) inch single branch wyes to the number of twenty (20) in such places as designated, said wyes to be approximately forty-five (45) feet apart facing to both sides of the street said distance of forty-five (45) feet to be varied as required by proper house connection are to be laid in the same trench, also one (1) twelve (12) inch wye shall be laid, facing west at Sixth (6th) avenue, also one (1) twelve (12) inch wye facing west at Seventh (7th) avenue.

Two flush boxes shall be built, one (1) at Sixth (6th) avenue and one (1) at Seventh (7th) avenue, to be six (6) inches in size and to be brought to the level of the surrounding surface and covered with a standard iron cover.

All sewer pipes are to be No. 1 salt glazed vitrified sewer pipe. All joints are to be fully cemented with a cement mortar of one part of sand to three parts of Portland cement. The dead end of the sewer and all wyes are to be copped with an earthen plug and cemented.

All trenches are to be back-filled, and tamped by hand for a depth of one (1) foot and all filling is to be done and flooded thoroughly.

Grades are to be given by the City Engineer and all work to be done under the supervision of the City Engineer and the Plumbing Inspector.

§ 2. The whole cost of making the above described improvement shall be paid by the property abutting upon the improvement and after said improvement is made and accepted, it shall be turned over to the city and to become the property of the City of Rock Island. (Passed September 17, 1906.)

An Ordinance relating to the sewer on Fourteenth street.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Charles H. Curney, C. F. Tames, George Ohge, F. Ludolph, Ives J. Hoare, Cath Senger, A. W. Johnson, G. D. Brinkerhoff, O. Seidel, Hamlin Hull, F. Meier and Albert Bleuer, and their associates, are hereby authorized and empowered to lay and construct, at their sole expense, a sewer to run as follows: Beginning at Fourteenth (14th) street and Tenth (10th) avenue, thence north along said Fourteenth (14th) street to Ninth (9th) avenue, thence to and connecting with the sewer on Fourteenth and one-half ($14\frac{1}{2}$) street at Ninth avenue, and emptying into the same. Three flush boxes are to be con-

structed, one (1) at Fourteenth (14th) street and Tenth (10th) avenue, one (1) at Fourteenth (14th) street and Ninth (9th) avenue, and one (1) at Fourteenth and one-half (14½) street and Ninth (9th) avenue. The said sewer is to be of ten (10) inch tile.

§ 2. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois. And no person or persons other than those parties to its original construction will be allowed to connect thereto for any purpose, unless permission has first been granted by the City Council of Rock Island, Illinois. (Passed May 21, 1904.)

An Ordinance relating to a Private Sewer.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Mrs. Hilma Anderson, Ben Benson, and their associates, be and they are hereby authorized and empowered to lay a ten (10) inch sewer, at their sole expense, the same to run as follows: Commencing at the center of the intersection of Forty-fifth (45th) street and Eighth (8th) avenue, thence north along Forty-fifth (45th) street to connect with the sewer now laid along Seventh (7th) avenue. Connected with the above described sewer on both Eighth (8th) and Ninth (9th) avenues are to be two (2) lateral sewers, and each lateral is to extend from the west line of Forty-sixth (46th) street west to the east line of block A and D in Edgewood Park addition.

§ 2. The said sewer, when completed, is to be and become the property of the City of Rock Island, Illinois; and no person or persons, other than those parties to its original construction, shall connect therewith for any purpose, without having first received permission to do so from the City Council of Rock Island.

§ 3. Whoever shall violate the provisions of this ordinance shall be liable and subject to a fine of not less than ten (\$10) dollars and not more than fifty (\$50) dollars. (Passed August 1, 1904.)

An Ordinance providing for the construction of a Private Sewer in Block 32, Chicago or Lower addition to Rock Island, Illinois.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That permission be and the same is hereby granted to John Ackermann, Mrs. Minnie Holdorf and Dan McKinney to lay and construct an eight (8) inch sewer, to run and be connected as follows, to-wit: Said sewer shall be constructed and laid in the alley in block 32, Chicago or Lower addition to the City of Rock Island, Illinois, and shall begin at a point twenty-one (21) feet west of the center line of the angle of said alley and shall run east twenty-one (21) feet to said angle, and thence south along said alley and for a distance of two thousand, one hundred and twenty (2,120) feet, more or less, to connect with and empty into the now existing Fifth (5th) avenue sewer.

§ 2. The said sewer is to be connected by the above named parties at their sole expense, and when the same is completed it is to be and become the property of the City of Rock Island and the city is to have absolute control of the same, and no other party or parties shall be allowed to connect therewith or to flow any liquid into the said sewer without permission first being obtained to so connect from the City of Rock Island. (Passed March 21, 1904.)

An Ordinance relating to the construction of a Private Sewer and Water Main.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Richard Mandel, Joseph Blocklinger and John Kimball shall have the right to construct an eight (8) inch sewer and a six (6) inch water main on Eighth (8th) avenue, between Ninth (9th) and Tenth (10th) streets, in the City of Rock Island.

§ 2. The said named persons shall construct said

sewer and water main at their own expense, under the direction, control and supervision of the Board of Local Improvements.

§ 3. The said sewer and water main, when completed, shall be the property of the City of Rock Island.

§ 4. Said named persons, upon the completion of the said water main, shall be entitled to credit upon water rents for water taken by them and all other persons along the said water main. And not until their water rent exceeds the cost of the said water main shall they be charged rent. (Passed June 21, 1909.)

An Ordinance granting Sue Denkmann right to lay Private Water Main.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That Sue Denkmann be, and she is hereby, authorized to construct a private six (6) inch water main, to begin at the intersection of Thirteenth (13th) avenue and Twenty-fifth (25th) street and running thence west three hundred (300) feet on Thirteenth (13th) avenue, and also the placing of a hydrant at or near the west end of said water main.

§ 2. That said Sue Denkmann shall construct said water main at her own expense, and under the direction and control of the Board of Local Improvements. That the amount of the cost of same shall be reported to the Clerk of said city, who shall keep a record of same.

§ 3. That said Sue Denkmann shall not be required to pay water rent on her property until the water rent shall exceed the cost of construction of said water main.

§ 4. Said water main, when completed, shall be and become the property of said City of Rock Island.

§ 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed. (Passed March 25, 1910.)

STREET RAILROADS.

An Ordinance granting to the Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, the right to use, enjoy, possess and maintain for a period of twenty-five (25) years, all the rights, privileges and franchises, to construct, operate and maintain street railways in the City of Rock Island, heretofore granted to the Moline and Rock Island Horse Railroad Company, the Union Street Railway Company, the Rock Island and Milan Street Railway Company, the Davenport and Rock Island Railway Company and said Tri-City Railway Company, as the said rights, privileges and franchises are now used and enjoyed by said Tri-City Railway Company, the successor of the companies severally above named in the operation and maintenance of said street railways, and also to grant to said Tri-City Railway Company the right to use, enjoy, possess and maintain for a like period of twenty-five (25) years a street railway from Thirty-eighth (38th) street in the City of Rock Island, thence east to the east limit of said city on Fourteenth avenue upon the completion by said Tri-City Railway Company of the purchase by it of the street railway of the Moline Central Street Railway Company with the appurtenances and all its property, rights, privileges and franchises granted to it by ordinances.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. WHEREAS, The Tri-City Railway Company is now the sole owner of all the street railway properties and street railway rights of way, with all the appurtenances thereto belonging, except said Moline Central Street Railway, now located in the City of Rock Island, and in operation therein on divers streets and avenues of said city, together with all the rights, privileges and franchises which were heretofore granted by the City Council of the City of Rock Island by ordinance or resolution of said City Council, to the Moline and Rock Island Horse

Railroad Company, the Union Street Railway Company, the Rock Island and Milan Street Railway Company, the Davenport and Rock Island Railway Company, and the Tri-City Railway Company, under which said street railways have been and are now operated and maintained by said Tri-City Railway Company.

Now, therefore, it is hereby ordained: That all the said rights, privileges and franchises, which were heretofore granted by the City Council of the City of Rock Island by ordinance or resolution of said Council to said street railway companies respectively, except said Moline Central Street Railway Company, and which are now owned, possessed and enjoyed by said Tri-City Railway Company, the lawful successor of said companies, be and the same are hereby granted, renewed, continued and confirmed in and to said Tri-City Railway Company, its successors and assigns.

§ 2. All the said rights, privileges and franchises under which said street railways are now operated and maintained in said City of Rock Island, by said Tri-City Railway Company, shall, in case of sale, voluntary or judicial, lease or mortgage of said street railway properties, street railway rights of way with the appurtenances thereto belonging, together with said rights, privileges and franchises, by said Tri-City Railway Company, its successors and assigns, pass to and become vested in any such vendee, lessee or mortgagee, without forfeiture or impairment thereof, because of any such sale, lease or mortgage, and the purchaser, lessee or mortgagee, shall take, hold, enjoy and possess said street railway properties, rights of way, with the appurtenances, and said rights, privileges and franchises granted, as aforesaid, as fully and completely and with the same power and authority, and to the same extent as the same might, could or may be enjoyed by said Tri-City Railway Company.

§ 3. All the rights, privileges and franchises under which said street railway properties, street railway rights

of way, with the appurtenances, are now used, operated, possessed and maintained, and which were heretofore granted by said City Council to said Moline and Rock Island Horse Railroad Company, the Union Street Railway Company, the Rock Island and Milan Street Railway Company, the Davenport and Rock Island Railway Company, and said Tri-City Railway Company, by ordinance or resolution of said City Council, and which are now owned, enjoyed and possessed by said Tri-City Railway Company, its successors or assigns, are hereby granted, renewed, assured, continued and confirmed unto said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, for and during the full term of twenty-five (25) years from the passage of this ordinance.

§ 4. WHEREAS, Said Tri-City Railway Company is about to become, by purchase, the owner of that certain street railway, with its appurtenances, known as the Moline Central Street Railway Company, with its rights, privileges and franchises, which company operates a line of street railway from Thirty-eighth (38th) street in the City of Rock Island, easterly to the city limits on Fourteenth (14th) avenue; now, therefore, upon the completion of said purchase of said Moline Central Street Railway Company, said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, is authorized and empowered to use, operate and maintain said street railway on and over the line above mentioned for a period of twenty-five (25) years from the passage of this ordinance.

§ 5. Said Tri-City Railway Company further agrees to the following conditions and requirements, viz.:

FIRST—The rate of fare shall not at any time exceed five (5) cents over any of the present lines of street railway, or lines which may be hereafter built or acquired within the limits of the City of Rock Island by said Tri-City Railway Company, its successors or assigns, and transportation shall be given on said lines to any person from any part of Rock Island or Moline to any part of Rock j.—

STREET RAILROADS.

Island or Moline reached by said lines either by through service or transfer system as said company may elect, for one fare of five (5) cents. Provided, that it shall not be understood that any round trip shall be made for one fare, or that more than one transfer shall be given except where passengers are going in one direction; provided, further, that all transfers to and from Rock Island cars shall be good to and from Center Station on the Milan road; and, provided, further, that if such passenger be less than twelve (12) years of age, not more than three (3) cents shall be charged for such transportation; provided, further, that children less than five (5) years of age shall be allowed to ride free.

SECOND—At least fifteen-minute service shall be given on all lines until ten o'clock p. m., and thirty-minute service thereafter until twelve o'clock p. m., the last car at night leaving the down town terminus not earlier than twelve o'clock p. m.

THIRD—The said Tri-City Railway Company will at all times furnish free transportation over all its lines in the City of Rock Island and Moline for members of the Rock Island City Council, the city officials and members of the police and fire departments.

FOURTH—The Tri-City Railway Company agrees that within one year from the passage and approval of this ordinance all its motor cars used in the City of Rock Island, except open cars, shall be equipped with vestibules at each end in the same general style as its vestibule cars now in operation; and that within two years time all of its motor cars operated in the City of Rock Island shall be equipped with fenders in front of and projecting beyond the forward platform; and also that within the same time the said company shall during the summer season maintain and operate sufficient open cars in the city of Rock Island to accommodate all the ordinary passenger traffic over its lines in said city.

FIFTH—No renewal of tracks shall be made with anything but girder or truck rails, and no motor power shall hereafter be used except electric power or compressed air, except by and with the consent of the City Council.

SIXTH—A five (5) cent fare shall be given to daily patrons of the Rock Island and Milan line in the following manner: A daily commutation ticket or book of tickets, not transferable, shall be sold to all passengers, good for sixty rides on this line, for three (\$3) dollars, tickets limited to forty (40) days from date of issuance of same.

SEVENTH—The Tri-City Railway Company agrees for itself and its successors or assigns to continue its power station and car house within the city limits of the City of Rock Island during the period covered by this ordinance.

EIGHTH—The Tri-City Railway Company agrees to equip its line from the village of Sears to Milan for the operation of this line by electricity, whenever the bridges over Rock river are put in safe condition for its operation of electric cars on the said bridges, and it further agrees to pay to the City of Rock Island, on demand, the sum of two thousand (\$2,000) dollars to be applied to the strengthening of the Rock River bridges, to put same in proper and safe condition for the operation of electric cars on said bridges.

NINTH—The Tri-City Railway Company agrees within ninety days after the passage and approval of this ordinance, to remove the T rail on Fourteenth (14th) avenue between Thirtieth (30th) and Thirty-eighth (38th) streets and on Fourteenth (14th) avenue between Thirty-eighth (38th) and Forty-sixth (46th) streets, within ninety days after the completion of the purchase of the Moline Central Street Railway Company, and to substitute therefor, flat girder rail, same as now in use on the balance of its street railway, the same to be laid and located and ballasted between rails and eighteen (18) inches outside of each rail, under the direction of the street and alley committee of the City Council.

TENTH—If said company shall complete the purchase of the property of the Moline Central Street Railway Company, it agrees to maintain the bridge now owned and used by the said Moline Central Street Railway Company over Darling's creek and to keep the same in good and safe condition at all times for a public highway and to permit the public to use the said bridge for wagon and foot traffic.

ELEVENTH.—The Tri-City Railway Company agrees to remove its rails from Seventh avenue from Thirty-eighth to Forty-sixth street, when said Seventh avenue shall be boulevarded, and if the City Council should request it so to do, and to remove its tracks now laid on said Seventh avenue to Sixth avenue from Thirty-eighth to Forty-sixth street within ninety days from the passage and approval of any ordinance or resolution of said City Council requiring such removal; provided, that the written consent of all of the owners of property abutting on Sixth avenue between Thirty-eighth and Forty-sixth streets, to such removal shall be given with a waiver of all claims for damages by reason of the construction of said line of railway on Sixth avenue.

§ 6. All the franchises in this ordinance, extended and renewed to said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, shall be subject to all the terms, conditions and requirements of the original and supplemental ordinances granting the said franchises, and subject further to all the rights, privileges and reservations reserved to the City of Rock Island by the said original and supplemental ordinances, except as herein otherwise provided.

§ 7. The said Tri-City Railway Company shall be liable for and pay to persons injured, whether in person or property, all damages which may result from the carelessness or negligence of said company or any of its agents, servants or employes, in the erection, maintenance or operation of its line of railway, and said company shall save and keep said City of Rock Island harmless from all damages, costs and causes of action, which may accrue against it by

reason of the erection, maintenance and operation of the said lines of railway, and with these conditions to give a bond to the said City of Rock Island, for itself, its successors and assigns, in the penal sum of twenty thousand (\$20,000) dollars, with security to be approved of by the City Council of said city, and said bond shall be kept good during the term of the franchise herein renewed and extended, and said bond shall be further conditioned for the faithful performance of all of the terms, conditions and requirements of this ordinance and all original and supplemental ordinances granting the franchises herein renewed and extended to the Tri-City Railway Company.

§ 8. The said Tri-City Railway Company shall, within thirty days from the passage and approval of this ordinance file with the City Clerk of the City of Rock Island, its acceptance, in writing, of the terms and conditions of this ordinance, and the bond therein provided for; and upon the failure of said company so to do, within said time, this ordinance shall be void and of no effect.

Passed February 20th, 1899. 4 Mss. Ord., 74.

An Ordinance authorizing the Tri-City Railway Company to construct, maintain and operate a street railway upon and along Forty-second (42d) street, in the City of Rock Island, from Fifth (5th) avenue to the Mississippi river.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That in consideration of the performance by the Tri-City Railway Company, its successors and assigns, of the conditions hereinafter specified, the said Tri-City Railway Company, its successors and assigns, is hereby granted the right to construct, lay down, maintain and operate upon and along Forty-second (42d) street, in the City of Rock Island, a single track electric street railway, with all necessary and convenient side tracks, turn-outs, switches and curves, together with the right to erect,

place, maintain and operate all necessary and convenient poles and wires for the full period of Twenty (20) years from and after the passage of this ordinance. Said conditions are as follows:

First. Said railway shall connect with the present railway of said company on Fifth (5th) avenue at Forty-second (42d) street, by turn-outs east and west and run thence north and upon and along Forty-second (42d) street to the Mississippi river and there connect with a line to be built on a bridge to the Island of Rock Island for the purpose of operating an electric street railway to and on said Island.

Second. The rail to be used on said railway to be similar to standard rail in use elsewhere on said Company's railways, namely, girder rail of not less weight than fifty (50) pounds to the yard, and all tracks, poles and wires to be of first-class construction in every respect.

Third. It is understood and agreed that the railway herein authorized to be constructed and operated shall be used for the purpose of transporting passengers to and from said Island of Rock Island, and that no regular service shall be maintained over the same to the City of Davenport, Iowa.

Fourth. The said company shall be liable for and shall pay to any persons injured, all damages which may result from the carelessness, negligence or misconduct of any agent or servant of said company while in its employment in the construction or operation of said railway, and shall hold said City of Rock Island harmless on account of any and all damages or causes or action which may accrue to any person by reason of the construction of said railway, or any part thereof, or the operation thereof, and the said company shall pay all damages to owners of property abutting upon said Forty-second (42d) street, upon or over which said road is to be constructed, which they may sustain by reason of the location or construction of said road, the same to be ascertained and paid in the manner provided by law for the exercise of the right of eminent domain.

Fifth. The Tri-City Railway Company shall, within thirty (30) days from the passage of this ordinance, file with the City Clerk of the City of Rock Island its acceptance in writing of the terms and conditions of this ordinance, and upon the filing of such acceptance within the said time, this ordinance shall take effect, and not otherwise. (Passed September 4, 1899. 4 Mss. Ord., 103.)

An Ordinance authorizing the Tri-City Railway Company, its successors and assigns, to construct and operate a street railway with electric power on certain streets and avenues in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That there is hereby granted to the Tri-City Railway Company, its successors and assigns, the right and authority to construct, maintain and operate a single or double track electric street railway with all necessary and convenient track for turn-outs, side-tracks, switches and turntables, with the right to replace and maintain upon the streets and avenues on the line of the street railway at the curb stone poles, wires and other appliances necessary to equip in the most approved manner and operate said street railway, the cars to be run thereon for the full period or twenty (20) years upon the following streets and avenues in said city: Beginning and connecting with the street railway track of said company at Fifteenth street and Fourth avenue, thence south on Fifteenth street to Eleventh avenue, thence east on said avenue to Twentieth street, thence south on Twentieth street to Eighteenth avenue, thence east on Eighteenth avenue to Twenty-second street. The said tracks shall be laid as nearly as possible along the center of said streets, and no switch tracks or double tracks shall be laid along Fifteenth street from Seventh to Eleventh avenues.

§ 2. In the construction of said street railway both in the laying of the tracks, the locating of poles and the

placing, staying and insulating of the trolley wires and the wires connecting therewith, all of the work of the construction shall be done to the satisfaction of the street and alley committee of the City Council of said city.

§ 3. The gauge of the tracks of said street railway shall be four feet, eight and one-half inches (4 ft. 8½ in.) and the gauge shall not be changed without the consent of the City Council. The rails to be used in the laying of the tracks shall not be less than sixty (60) pounds to the yard in weight and may be of the girder type. All the frogs where turn-out switches, curves and side tracks are put shall be provided with suitable guards to protect from accident the lives and property of persons traveling on the streets and avenues and over and along said street railway tracks.

§ 4. The said company shall be at the entire cost and expense of grading, paving and macadamizing for a space of eighteen inches outside of the rails of this track on all the streets it shall occupy and use for each of the tracks and side tracks it may construct, and also of filling and constructing drains and putting in street crossings within the limits of the railway, so that that portion of the streets and avenues occupied by the company shall be put and thereafter kept in as good condition and repair as the remaining portion of the streets and avenues corresponding with the opposite said railroad tracks shall be, or shall be put and kept by the city. If the grade or nature of the surface of the streets and avenues shall be changed, the said company shall also change the grade and surface of the portion of the streets and avenues covered by the railroad tracks and the outer line as above, so as to correspond with the change of grade, and at its own expense, and in that regard shall comply with all the ordinances of said city.

The Tri-City Railway Company shall be required to pay to the City Treasurer of the City of Rock Island, within thirty days after laying down tracks on Twentieth street between Eleventh avenue and Eighteenth avenue, for the

benefit of and for refund to the abutting property owners, an amount equal to the fair value of the paving already laid down on said Twentieth street between Eleventh and Eighteenth avenues, and the value of said paving shall be determined by the amount paid for said paving by the original property owners, less a fair valuation for wear and depreciation, which shall be made by a committee composed of the Mayor, City Clerk and City Engineer of the City of Rock Island.

Said company shall also be liable for all damages which may be sustained by any person or by the City of Rock Island by reason of the carelessness, neglect or misconduct of said company or any agent or servant thereof in the course of employment in the construction or use of said tracks and the cars running thereon for said street railway. When any team or vehicle shall meet a street car upon either of the tracks of said railroad, such team or vehicle shall give way to the street car. Nor shall any person willfully or maliciously obstruct, hinder or interfere with any street cars by placing any obstruction upon the company's tracks, or by placing, driving or stopping, or causing to be placed or driven at a slow pace, or to stop, any team, vehicle or other obstacle upon, across, along or near to the tracks of said street railway, after being notified by the ringing of the car bell, or gong, and no person shall seize, hang upon or get upon any street car of said company, or attempt to do so, except as a passenger, or fasten to any street car of said company any sleigh, sled or other vehicle, or attempt so to do. Any person who shall willfully violate any of the provisions of this section shall be liable to a fine to the City of Rock Island in the sum of not less than \$5.00, nor more than \$25.00 for each offense, to be collected and prosecuted therefor in the same manner as other fines are collected for any violation of the ordinances of said city.

§ 5. The said railway company shall place and maintain the street railway tracks at the established grade of the surface of the streets and avenues and the construction

of said railway shall not be commenced until the grade is established by the authority of the city, and said tracks shall not be elevated above the surface of the streets and avenues on which they are laid, so that teams and vehicles cannot easily and freely at all times cross said tracks in any direction without obstruction.

§ 6. The said company shall be entitled to collect from each passenger, a fare of five (5) cents for one continuous passage from any part of said line to any other part of said line, or from any part of said line to any point on the connecting lines of said company's railway in the City of Rock Island and Moline, or from any point on any connecting line of said company's railway in said city to any point on the line of the electric street railway, established by this ordinance, but this does not apply to points on the street railway line known as the Milan line, except to Center Station, or the line known as the Bridge line to Davenport. The fares for children above the age of five (5) years and under twelve (12) may be three cents for each child, and in making such continuous rides, any passenger shall be entitled to a transfer ticket to the connecting lines, except as above, to complete a continuous trip.

§ 7. The said railway company shall have six (6) months from and after the passage of this ordinance, to commence the construction of the above line, herein authorized and twelve (12) months to complete the same, but in case of a strike or inability to obtain material for the construction, equipment and operation of the road, the time in which said company is necessarily delayed shall not be included in the above limitation.

§ 8. In the operation of the street cars on said line herein authorized, the limit of speed shall not exceed twelve (12) miles per hour. All cars shall be equipped with bells, gongs, fenders and other approved safety devices for the protection of lives and property. The cars during the day and evening shall leave the starting points on the line every fifteen (15) minutes so that the arrival and depart-

ure of the cars of said company on said line at any point shall be every fifteen (15) minutes.

§ 9. The construction and operation by said Tri-City Railway Company, its successors and assigns, of the line herein authorized, shall not in any manner affect the right of property of said company in any ordinances of said city now owned by them, relating to said railways, nor of any rights and privileges secured by said ordinances; nor the rights of property in any street car tracks laid in said city, or of any of the appurtenances belonging to said railway tracks or lines to operate the same.

§ 10. For the rights and privileges granted in this and all former ordinances, it is understood that the building of new car shops of the Tri-City Railway Company, its successors and assigns, shall be located in the City of Rock Island, Illinois, during the term of this franchise. (Passed October 20, 1902. 4 Mss. Ord., 258.)

An Ordinance authorizing the Tri-City Railway Company, its successors and assigns, to construct and operate a street railway, with electric power, on certain streets and avenues in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That there is hereby granted to the Tri-City Railway Company, its successors and assigns, the right and authority to construct, maintain and operate a single or double track electric street railway, with all necessary and convenient tracks for turnouts, sidetracks, switches and turntables, with the right to place and maintain upon the streets and avenues on the lines of the street railway, at the curbstone, poles, wires, and other appliances necessary to equip, in the most approved manner, and operate the said street railway, the cars to be run thereon for the full period of twenty (20) years upon the following streets and avenues in said city:

Commencing at a point on Eighteenth (18th) avenue in said city at the southern terminal of Twenty-second (22d) street, there to connect with the street car track from the west; thence east on Eighteenth (18th) avenue to Thirtieth (30th) street; thence north on Thirtieth (30th) street to Fourteenth (14th) avenue, there to connect with the present line at the corner of said Thirtieth (30th) street and Fourteenth avenue. Also commencing at a point on Ninth (9th) avenue at the intersection of Twenty-fifth (25th) street and running thence west on Ninth (9th) avenue to Twenty-first (21st) street; thence north on Twenty-first (21st) street to Sixth (6th) avenue; thence west on Sixth (6th) avenue using the present street car tracks to Twentieth (20th) street; thence north on Twentieth (20th) street to Fourth (4th) avenue, connecting therewith the street car lines at that point.

§ 2. In the construction of said street railway both in the laying of the tracks, the locating of the poles, and the placing, staying and insulating of the trolleys, wires, and the wires connected therewith, all of the works of construction shall be done to the satisfaction of the street and alley committee of the City Council of said city.

§ 3. The gauge of the tracks of the said street railways shall be four (4) feet, eight and one-half (8½) inches, and the gauge shall not be changed without the consent of the City Council. The rails to be used in the laying of the tracks shall be not less than sixty (60) pounds to the yard in weight, and may be of the girder type. All frogs, formed where turnouts, switches, curves and sidetracks are put in, shall be provided with suitable guards to protect from accident, the lives and property of persons traveling on the streets and avenues and over and along said street railway tracks.

§ 4. The said company shall be at the entire cost and expense of grading, paving and macadamizing for a space of at least eight (8) feet on all of the streets it shall occupy and use for each of the tracks and sidetracks it may con-

struct, and also of filling and constructing drains and putting in street crossings within the limits of the railway so that that portion of the streets and avenues occupied by the company shall be put, and thereafter kept, in as good condition and repair as the remaining portion of the streets and avenues, corresponding with and opposite said railroad tracks, shall be, or shall be put and kept by the city. If the grade or nature of the surface of the streets and avenues shall be changed, the said company shall also change the grade and surface of the portion of the streets and avenues covered by the railroad tracks, and the outer line, as above, so as to correspond with the change of grade, and at its own expense, and in that regard shall comply with all the ordinances of said city.

The Tri-City Railway Company shall be required to pay to the City Clerk of the City of Rock Island, within thirty (30) days after laying down tracks on Twenty-first (21st) street, Thirtieth (30th) street, and Twentieth (20th) street for the benefit of and for refund to the abutting property owners an amount equal to the fair value of the paving already laid down on said Twenty-first (21st), Thirtieth (30th), and Twentieth (20th) streets, which is included within the limits of the car tracks or track to be laid and a space of at least eighteen (18) inches outside of the rails of the tracks or track. And the value of the said paving so to be paid for to the abutting owners shall be determined by the amount paid for said paving by the original property owners, less a fair valuation for wear and depreciaton, which valuation shall be made by a committee composed of the Mayor, City Clerk, and City Engineer of the City of Rock Island.

Said company shall also be liable for all damages which may be sustained by any person or by the City of Rock Island by reason of the carelessness, neglect or misconduct of said company, or any agent or servant thereof, in the course of employment, in the construction or use of said tracks, and the car running thereon, for said street

railway. When any team or vehicle shall meet a street car upon either of the tracks of said railway, such team or vehicle shall give way to the street car. Nor shall any person willfully or maliciously obstruct, hinder or interfere with any of said street cars by placing any obstruction upon the company's tracks or by placing, driving or stopping, or causing to be placed or driven at a slow pace, or to stop any team, vehicle or other obstacle upon, across, along, or near to the tracks of said street railway, after being notified by the ringing of the car bell or gong, and no person shall seize, hang upon or get upon any street car of said company, or attempt to do so, except as a passenger, or fasten to any street car of said company any sleigh, sled or other vehicle or attempt so to do. Any person who shall willfully violate any of the provisions of this section shall be liable to a fine to the City of Rock Island in the sum of not less than five (\$5) dollars nor more than twenty-five (\$25) dollars for each offense, to be collected and prosecuted therefor in the same manner as other fines are collected for any violation of the ordinances of said city.

§ 5. The said railway company shall place and maintain the street railway tracks at the established grade of the surface of the streets and avenues, and the construction of said railway shall not be commenced until the grade is established by the authority of the city and said tracks shall not be elevated above the surface of the streets and avenues, on which they are laid, so that teams and vehicles cannot easily and freely at all times cross said tracks in any direction, without obstruction.

§ 6. The said company shall be entitled to collect from each passenger a fare of five (5c.) cents for one continuous passage from any part of said line to any other part of said line, or from any part of said line to any point on the connecting lines of said company's railway in the City of Rock Island and Moline, or from any point, on any connecting line of said company's railway in said city to any point on the line of the electric street railway established

by this ordinance, but this does not apply to points on the street railway line known as the Bridge line to Davenport. The fare for children above the age of five (5) years or under twelve (12) years may be three (3c.) cents for each child, and in making such continuous ride, any passenger shall be entitled to a transfer ticket to the connecting lines, except as above, to complete a continuous trip.

§ 7. The said railway company shall have three (3) months from and after the passage of this ordinance, to commence the construction of the above line herein authorized, and six (6) months to complete the same, but in case of a strike or inability to obtain materials for the construction, equipment and operation of the road, the time in which said company is necessarily delayed shall not be included within the above limitation.

§ 8. In the operation of the street cars on said lines herein authorized, the limit of speed shall not exceed twelve (12) miles per hour. All cars shall be equipped with bells, gongs, fenders and other approved safety devices for the protection of lives and property. The cars, during the day and evening, shall leave the starting points on the lines every fifteen (15) minutes so that the arrival and departure of the cars of said company on said line at any point shall be every fifteen (15) minutes.

§ 9. The construction and operation by said Tri-City Railway Company, its successors and assigns, of the line herein authorized, shall not, in any manner, effect the rights of property of said company in any ordinances of said city now owned by them relating to said railways, nor of any rights and privileges secured by said ordinances; nor the rights of property in any street car tracks laid in said city, or of any appurtenances belonging to said railway tracks or lines to operate the same.

§ 10. For the right and privileges granted in this and all former ordinances it is understood that the building of new car shops of the Tri-City Railway Company, its suc-

cessors and assigns, shall be located in the City of Rock Island, Illinois, during the term of their franchise.

§ 11. The Tri-City Railway Company shall within thirty days from the passage and approval of this ordinance, file with the City Clerk of the City of Rock Island, its acceptance in writing of the terms and conditions of this ordinance, and upon failure of said company so to do, within said time, this ordinance shall be void and of no effect. (Passed August 3, 1903.)

An Ordinance granting to the Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, the right to construct, operate and maintain for a period of twenty (20) years, an additional or double electric street railway track in the City of Rock Island on Seventeenth (17th) street, Seventh (7th) avenue, and on Eleventh (11th) street to Tenth (10th) avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. The right and privilege is hereby granted to the Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, to construct, operate and maintain for electric street railway purposes, for a period of twenty (20) years, on the streets and avenues hereinafter described, an additional or double street railway track, parallel to, and for use in connection with, the electric street railway track now used and operated by said Tri-City Railway Company on its street railway line in said city, known as Rock Island and Milan line.

§ 2. The line of said additional or double track shall run as follows: Beginning on Seventeenth (17th) street at the intersection of Second (2d) avenue; thence running south along said Seventeenth (17th) street, to Seventh (7th) avenue; thence west along said Seventh (7th) avenue to Eleventh (11th) street; thence south on Eleventh (11th) street to Tenth (10th) avenue.

§ 3. In addition to the right and privilege to construct, operate and maintain said additional or double track as herein granted, the further right and privilege is hereby granted, for the period aforesaid, to erect and maintain all other and necessary poles, wires, fixtures and appliances that may be required to operate and maintain said electric street railway on the streets and avenues aforesaid, with double tracks.

§ 4. The rails of said additional or double tracks shall be of the same strength, style and quality as the rails now laid on the line of the street railway of said company known as the Longview line. They shall be laid under the supervision and to the satisfaction of the street and alley committee of said City Council, also all the additional poles, wires, fixtures or other appliances rendered necessary because of said additional track shall also be constructed and maintained under the direction and supervision of said committee.

§ 5. On the laying of said additional track on said Seventh (7th) avenue, and in the readjustment of the street railway track now located thereon so as to accommodate said additional track the outer rail of the double tracks shall be laid as near as practicable of equal distance from the curb line so that the width of the street, for public travel north and south of the outer rail of said tracks shall be as near as practicable of equal width.

§ 6. On the construction, operation and maintenance of said additional track, and the operation of electric cars thereon, and in the construction, operation and maintenance of the additional poles, wires, fixtures and appliances rendered necessary because of the additional track, said Tri-City Railway Company shall be subject to the same duties, obligation and burdens as to said additional tracks as are now imposed by and under all ordinances of this city under which said Tri-City Railway Company now use, own and operate said Rock Island and Milan line with a single track. Except that in laying the double track the dis-

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tance from the curb line on Eleventh (11th) avenue to the outer rail of both tracks, is not limited to twelve (12) feet.

§ 7. The said Tri-City Railway Company shall pay to the City Clerk, within thirty days after the additional track is laid down under this ordinance, on Seventeenth (17th) street, and on Seventh (7th) avenue, for the benefit of and for refund to abutting property owners entitled thereto, an amount of money equal to the fair value of the paving already laid down, which may be included in the line of said additional track, and eighteen (18) inches outside of the outer rail thereof. The value of the paving so to be paid to the abutting owners shall be determined by the amount paid for the original paving, less a fair valuation for the wear and depreciation since the paving was laid down. The amount to be paid shall be determined by a committee composed of the Mayor, City Clerk, the City, and the City Engineer.

§ 8. Within thirty days after the passage and approval of this ordinance the said Tri-City Railway Company shall file with the City Clerk its written acceptance of the ordinance, and in case of its failure to file such acceptance within the time above limited, this ordinance shall be null and void. (Passed October 5, 1903.)

SPRINKLER COMPANY.

An Ordinance authorizing the Tri-City Electric Sprinkler Company to operate sprinkler cars in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. The right to operate cars on the tracks of the Tri-City Railway Company with the consent of said company is hereby granted to the Tri-City Electric Sprinkler Company, its successors and assigns, for the period of fifteen years unless this ordinance shall be repealed as hereinafter provided.

§ 2. The sprinkler cars so operated shall be subject to the regulations contained in the several ordinances of said Tri-City Railway Company.

§ 3. The City of Rock Island expressly reserves the right to repeal this ordinance at any time after five years. (Passed June 14, 1897. 3 Mss. Ord., 420.)

STEAMBOAT WAREHOUSE.

An Ordinance granting privileges for the erection of a steamboat warehouse on the river front to the Acme Packet Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That authority is hereby granted to the Acme Packet Company to erect and maintain upon the river front of this city a building to be used as a public steamboat warehouse and passenger depot for freight and passengers. The said building is to be erected on the tract of land described as follows, to-wit: Beginning at a point on the west line of Nineteenth (19th) street in the City of Rock Island, forty (40) feet north of the center line of the north railroad track, thence west one hundred (100) feet running parallel with said railroad track, thence north sixty (60) feet parallel with the west line of Nineteenth (19th) street, thence east one hundred (100) feet running parallel with said railroad track, thence south sixty (60) feet along the west line of Nineteenth (19th) street to the place of beginning.

§ 2. It is understood that in the passage of this ordinance permission is to be given to all lines of steamboats doing business at this port to use such warehouse in the same manner and for the same purpose as it will be used by the said Acme Packet Company. The conditions under which other steamboat lines shall use such warehouses are as follows:

First—Upon the payment by them to the Acme Packet Company of a part of the cost of erecting said warehouse

and by becoming jointly responsible for the use of the same, as well as for any accident that may occur to said warehouse.

Second—Or permission may be had by other steamboat lines to use said warehouse by the payment by them to the Acme Packet Company of a reasonable rental; and in the event that an agreement cannot be effected, then, in that case, the Acme Packet Company shall appoint an arbitrator for themselves and the Mayor of the City of Rock Island shall have the power to arbitrate for the steamboat line or lines desiring to jointly occupy said warehouse; and if such arbitrator and the Mayor cannot agree, they shall appoint some suitable third party, and their decision shall be final, binding and conclusive to all parties.

§ 3. It is also understood that all railroad tracks on First avenue along in front of such block, where this warehouse is located, shall be properly planked by the different railroads maintaining such tracks, and the City Clerk is hereby instructed to give notice to the different railroad companies for them so to do.

§ 4. The privilege to thus maintain said warehouse is to extend for a period of fifteen (15) years from the date of the passage of this ordinance, unless the City Council of Rock Island shall see fit, by proper action, to determine the period of occupancy subsequently thereto, and the city authorities shall have full police control of said building.

§ 5. The above named parties to whom this privilege is granted, shall, in consideration of the privileges herein named, pay to said City of Rock Island the sum of one (\$1) dollar per year as a rental or license for the use of the said tract so set apart, upon which the said levee warehouse is to be erected.

§ 6. It is understood that the Acme Packet Company shall erect a warehouse of neat appearance and design suitable for the purpose of handling freight and passengers, and that the said building shall be kept in good repair and painted at least once in two years.

§ 7. Said warehouse is to be erected solely and entirely at the expense of the said Acme Packet Company named in section one (1) hereof, and no liability is to attach to the City of Rock Island in any particular by reason of the maintenance thereof.

As there is an emergency existing therefor, this ordinance is to be in effect from and after the date of its passage. (Passed June 5, 1900. 4 Mss. Ord., 135.)

TELEPHONE.

An Ordinance giving permission to the Illinois Independent Telephone Company, its successors or assigns, to construct telephone lines in the City of Rock Island, Illinois, and for that purpose to build conduits, erect poles and string wires and maintain the same over and under the public highways of the said city.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. It is hereby ordained by the City Council of the City of Rock Island, Illinois, and it is hereby ordained by the authority of the same, that the Illinois Independent Telephone Company, its successors or assigns, is hereby authorized to construct, maintain and operate telephone lines within the City of Rock Island, and to occupy such highways, streets, avenues, alleys and lanes, and erect therein such poles, lay such conduits, string such wires and cables overhead and through its conduits, as may be necessary, subject to the provisions hereinafter set forth.

Provided, that such poles shall be erected without materially obstructing or impeding the said sidewalks, streets and passageways; and, provided further, that all the poles erected by virtue of the license hereby granted shall be of uniform size as nearly as may be, and shall be neatly trimmed and painted some appropriate color from the top of the ground; and, provided further, that the poles shall be planted in conformity with the provisions of Chapter

31 of the Revised (1894) Ordinances of the City of Rock Island, regulating the planting of telephone and other poles, in the City of Rock Island.

Provided also, and further, that the conduits shall be constructed, laid, maintained and operated with their necessary ducts, mains, pipes, manholes, distributing poles and other appliances required for placing and maintaining therein wires, cables and other appurtenances thereto on such highways, streets, avenues, alleys and lanes as shall be designated by the committee of streets, alleys and grounds, and in such manner and by such means as shall be approved by them, and the manner of connecting the wires and cables in said conduits with its overhead wires to subscribers and stations and other points shall be under the like direction and approval of the said committee.

Provided further, that no poles shall be erected upon any street or avenue of the said city where an alley is available for the same purpose, and no poles shall be placed so as to interfere with free access to any property. All unused or "dead" poles shall be removed by said company within twenty-four hours after notice to do so by the Mayor.

§ 2. Before exercising any of the privileges granted hereby, the said company shall file with the chairman of the committee on streets, alleys and grounds, a plan showing the location and character of the proposed work, and all such work shall be performed under the direction of the said committee on streets, alleys and grounds, and before laying any new conduits, the said company shall file with the committee on streets, alleys and grounds a plan showing where each conduit is to be laid, location of manholes, or other openings to gain access to said conduit.

§ 3. Said company shall not at any time open or encumber more of any highways, streets, alleys or lanes than shall be necessary to enable it to perform with proper economy and efficiency the work of laying its conduits, ducts, mains and pipes, nor shall it permit such opening or in-

cumbrance to remain for a longer period than shall be deemed necessary by the Mayor or committee on streets, alleys and grounds, to do the work for which said opening shall have been made, and shall put up and maintain about such opening or incumbrance barriers or lights to prevent the happening of accidents, subject to the approval of the committee on streets, alleys and grounds. And shall put the portion of that street disturbed in the same condition as it was before the disturbance. In case of change of grade or change of the curb lines of any street or alley whereon such poles may have been placed, the said company shall change such poles and reset the same to conform to such change at their own expense, as soon as ordered so to do by the Mayor or said committee on streets, alleys and grounds.

§ 4. Said company shall construct and place its cables in underground conduits within the present fire limits of the city, and shall place no poles except distributing poles on the streets in which conduits shall be laid. Provided, that one duct in said underground conduits shall be for the exclusive use of the City of Rock Island for its fire alarm and police patrol system. The Illinois Independent Telephone Company, its successors or assigns, by accepting this ordinance agrees to furnish and connect for the free use of the city, cables or wire through the said duct for the said fire alarm and police patrol, at the time it does the work for itself, and keep said cables or wires in repair free of cost to the city, and shall make the proper connection for the said fire alarm and police patrol wires or cables. The Illinois Independent Telephone Company agrees to furnish and keep in repair all wires for the police patrol and fire alarm, for use of the city, that may be placed on their poles within the city limits; the said wires and services to be free of all cost and expense to said city so long as the telephone and wire services of said company are used for said purposes by the city.

§ 5. The Illinois Independent Telephone Company, its successors or assigns, shall remove its poles and wires

from over the highways, streets, avenues, alleys and lanes of this city upon one year's notice from the Mayor, whenever the City of Rock Island, by ordinance duly passed by the board of aldermen, shall designate and require some other mode of running all telegraph and telephone wires through the city, and said company shall then comply with said ordinances for the changing of the mode of running wires at its own cost and expense.

§ 6. That the said Illinois Independent Telephone Company, its successors or assigns, during all the time it shall carry on business under this ordinance shall furnish free of charge to the City of Rock Island, for the use of its officers and employes fifteen sets of telephone instruments, to be long distance instruments connected with the exchange by exclusive copper metallic circuit for each instrument and in addition fifty sets of telephone instruments for the use of the fire alarm and police patrol system, wired up as fast as required by the city, the same shall be kept in good repair by said Illinois Independent Telephone Company, and the said instruments are to be placed at such location in the city as the board of aldermen by resolution shall designate.

§ 7. The annual charge of a telephone instrument furnished by the said company to any person, firm or corporation within the limits of Rock Island, shall not exceed thirty-six (\$36) dollars for each instrument, when placed for business use, or more than eighteen (\$18) dollars for each instrument when placed in buildings used exclusively as private residences, said rates to be for long distance instruments connected with the exchange by exclusive copper metallic circuit for each instrument, and to include unlimited service to all points of Rock Island County, Illinois, and Davenport, Iowa, when connected by lines of said company, or by the lines of any other company with which the lines of said company may from time to time connect. And the said company shall construct its telephone line to Milan and permit all farmers' exchanges within the County of

Rock Island free and interchangeable service; provided the said company is accorded the same privilege by the farmers' lines so desiring interchangeable service. The general exchange for the County of Rock Island shall be located in Rock Island, Illinois.

§ 8. The said Illinois Independent Telephone Company, its successors and assigns, shall pay the annual tax now imposed or that may be imposed upon telephone companies, and nothing contained in this ordinance shall be construed to limit or restrict the right of the city to increase or diminish said tax or hereafter to impose any proper regulations or restriction upon said company.

It is further agreed that the Illinois Independent Telephone Company, its successors or assigns, shall, on the first days of January and July of each year next succeeding the date on which their said telephone exchange may be put in operation, render to the Mayor and City Council a full, true and just statement of all moneys received by it for rentals on telephones in the City of Rock Island during said period, and shall pay to the city two (2) per cent. of the same, the said payments to continue for a period of five years; and thereafter and during the life of this franchise, said telephone company or its assigns, shall in like manner and times pay to the said city three (3) per cent. of all such rentals received in the City of Rock Island. The said accounts to be verified by the City Clerk or such other person as may be selected by the City Council. In the construction of the plant of the Illinois Independent Telephone Company eight (8) hours shall constitute a day's work, and wherever available union labor shall have the preference.

§ 9. The said Illinois Independent Telephone Company, its successors or assigns, shall file with the Mayor a bond to be renewed annually in favor of the City of Rock Island in the sum of ten thousand (\$10,000) dollars, said bond to be conditioned that the portion of the streets, lanes and avenues of the city disturbed by said telephone company shall be restored to their former condition; also to

hold the City of Rock Island free from damage and to compensate it for moneys expended on account of accidents incurred or damage caused by neglect or fault of the said company, its successors or assigns, its agents or servants, in the construction and maintenance of its lines. The said Illinois Independent Telephone Company shall file with the Mayor an additional bond in favor of the City of Rock Island in the sum of five thousand (\$5,000) dollars, said bond to be filed at the time of their acceptance of this ordinance, and conditioned that they, their successors or assigns, will begin the construction of their telephone system within the time specified in said ordinance, otherwise it shall be forfeited to the city.

If at any time hereafter, the said Illinois Independent Telephone Company, its successors or assigns, shall sell to, assign to, lease to, consolidate with, or in any manner permit the control of a majority of its capital stock or the management of its business to become, or, if in fact the control of its capital stock or the management of its business shall become the property of any rival or competing telephone company, or any individual or individuals, corporation or corporations owning, controlling, managing or representing a rival or competing telephone company doing business in the City of Rock Island, then in such case all the rights, franchises and privileges granted hereby shall cease and determine, and all property, rights, and interests whatsoever of the said company located in the City of Rock Island, shall become the property absolutely of the City of Rock Island.

§ 10. That the said Illinois Independent Telephone Company, its successors or assigns, shall accept this ordinance within ninety (90) days after the signing by the Mayor, and shall commence the construction of its plant and system within six (6) months from the date of the acceptance of this ordinance, and shall complete and have the same in successful working operation within twelve (12) months thereafter, with at least five hundred tele-

phones connected up. Otherwise this ordinance and all rights granted by it shall be null and void.

Provided, also, that no charge shall be made to the subscribers of the said company until it has connected up five hundred (500) telephones with the exchange.

§ 11. This ordinance shall not go into effect, and none of its provisions, terms or conditions shall be conferred or innure to the said Illinois Independent Telephone Company, its successors or assigns, and the said company shall not commence the construction of its lines or system until the said Illinois Independent Telephone Company, its successors or assigns, shall by resolution, duly passed at a meeting of said company's directors, and certified to the City Clerk under the signature of its president and secretary, and seal of the company, accepts this ordinance and all the provisions, terms, conditions and limitations therein contained, and agrees to abide by and be bound by the same.

§ 12. This grant, and all the rights and privileges herein contained, shall continue for a term of thirty (30) years from the date this ordinance goes into effect. (Passed November 4, 1901. 4 Mss. Ord., 205.)

TELEGRAPH.

WESTERN UNION TELEGRAPH COMPANY.

An Ordinance granting the right to the Western Union Telegraph Company and its successors to erect and maintain poles, supports and wires in the streets and alleys in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Western Union Telegraph Company and its successors are hereby authorized to construct and maintain in, along and across the streets, alleys and avenues of the City of Rock Island, lines of poles, supports and wires for the purpose of its business, on and along the following routes, viz.:

Commencing at the east line of the city limits and following the lines of railroads entering the city, viz.: The Chicago, Rock Island and Pacific Railway, the Chicago, Burlington and Quincy Railway, and the Chicago, Milwaukee and St. Paul Railway, west to Twenty-fourth (24th) street; thence to south approach of arsenal bridge in said street from Twenty-fourth (24th) street to Twentieth (20th) street along the north side of Second (2d) avenue and on Twentieth (20th) street to First (1st) avenue along the south side of said avenue to Twelfth (12th) street, to west line of city limits along the Rock Island and Peoria Railway, with also the right to connect said wires in the usual manner with such offices as said company or its successors may from time to time maintain in said streets, avenues and alleys, the usual and proper poles, supports, wires and other appliances under the direction of the street and alley committee of the City Council of Rock Island; and said company, its successors and assigns, shall annually on the 15th day of May of each year, pay to the clerk of said city for the use of the city, the sum of two (\$2) dollars for each and every pole erected on the streets, avenues and alleys, under and by virtue of this ordinance, and said company shall, within thirty (30) days after this ordinance goes into effect, give notice in writing to said clerk of said city of its acceptance hereof, and in case of failure or neglect so to do, then and in that case, all rights granted shall be without force or validity.

§ 2. Said poles and supports shall, when practicable, be placed within and next to the curb or outer line of the sidewalk, and shall be erected in safe, convenient and substantial manner, and so as to obstruct as little as practicable with other public uses of such streets, alleys and avenues, and shall be located and erected under the supervision of the street and alley committee of said city, and the privileges hereby granted shall be subject to all general ordinances of the city concerning the height, character and safety of said poles, supports and wires.

§ 3. That nothing herein contained shall be construed to prevent the City Council from granting to other persons or corporations the right to cross and recross said lines in intersections of streets; provided, that such crossings shall be by them constructed in a proper manner and with due regard to the safety and protection of said lines and wires. (Passed January 14, 1888. 2 Mss. Ord., 258.)

POSTAL TELEGRAPH CABLE COMPANY.

An Ordinance authorizing the Postal Telegraph Cable Company to erect and maintain a line of telegraph poles and wires in the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1 That the Postal Telegraph Cable Company is hereby authorized to erect telegraph poles on the streets, alleys and avenues of the City of Rock Island as hereinafter specified, and to construct and maintain a line or lines of telegraph in connection with the same, viz.: On Seventh avenue from Forty-sixth to Twenty-eighth streets; on Twenty-eighth street from Seventh to Sixth avenues; on Sixth avenue from Twenty-eighth to Twenty-sixth streets, except the block between Twenty-seventh and Twenty-sixth streets; on Twenty-sixth street from Sixth avenue to the alley between Sixth and Fifth-and-a-Half avenues; on the alley between Sixth and Fifth-and-a-Half avenues, from Twenty-sixth to Twenty-fourth street, from the alley between Sixth and Fifth-and-a-Half avenues to the approach to the government bridge. Also on the alley between Third and Fourth avenues from Twenty-fourth to Seventeenth streets. Also on the alley between Nineteenth and Eighteenth streets from Third to Second avenues.

The said City of Rock Island, however, reserving the right to use said poles when so erected to fasten and string its fire alarm and police telegraph wires and lines thereon.

§ 2. The telegraph poles hereby authorized to be erected along the streets, avenues and alleys specified in section

one of this ordinance shall be reasonably straight, planed and painted, and shall be kept continually well painted; they shall be not less than twelve inches in diameter at the thickest part and not less than thirty feet high; they shall be placed within the edge or curb of the sidewalk on the streets and avenues and within proper distance of the building line in the alleys, and shall be erected in such manner as not to interfere with the public travel, sewers or water courses, and the whole manner of placing the same and their positions on the streets, alleys and avenues named herein and otherwise shall be as the Mayor, the street and alley committee of the City Council and superintendent of streets shall direct.

§ 3. The said Postal Telegraph Cable Company shall keep the said telegraph line in good repair at all times and shall so construct the same that the wires thereof shall clear with safety and not interfere with any of the electric wires at present erected.

§ 4. All the proceedings of said Postal Telegraph Cable Company under this ordinance shall be subject to all the laws and ordinances of the City of Rock Island, now existing or to an ordinance relative to said telegraph line or to telegraph poles or wires which may hereafter be passed by the City Council of the City of Rock Island.

§ 5. The said Postal Telegraph Cable Company by acceptance of this ordinance shall agree (and hereby does agree) to keep its lines in good working order and should they at any time cease to operate the same for a period of three months, they will within three months thereafter remove all poles and wires from any street, avenue and alley of said city whereon the same may be.

§ 6. Any person who shall, without the consent of the owners thereof, cut, deface or otherwise injure said poles or knock off, tear down or otherwise destroy or remove the wires or insulators of said telegraph line, shall forfeit and pay to the City of Rock Island a fine of not less

than twenty-five (\$25) nor more than one hundred (\$100) dollars for each and every offense.

§ 7. This ordinance shall be in force from and after its passage. (Passed September 9, 1891.)

UNION ELECTRIC TELEPHONE AND TELEGRAPH COMPANY.

An Ordinance giving permission to the Union Electric Telegraph and Telephone Company (successor to the Illinois Independent Telephone Company), its successors or assigns, to construct telephone lines in the City of Rock Island, Illinois, and for that purpose to build conduits, erect poles and string wires and maintain the same over and under the public highways of the said city.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That it is hereby ordained by the City Council of the City of Rock Island, Illinois, and it is hereby ordained by the authority of the same, that the Union Electric Telephone and Telegraph Company, its successors and assigns, is hereby authorized to construct, maintain and operate telephone lines within the City of Rock Island, and to occupy such streets, avenues, alleys and lanes, and erect therein such poles, lay such conduits, string such wires and cables overhead and through its conduits as may be necessary, subject to the provisions hereinafter set forth.

Provided, that such poles shall be erected without materially obstructing or impeding the said sidewalks, streets and passage ways; and provided further, that all poles erected by virtue of the license hereby granted shall be of uniform size as nearly as may be, and shall be neatly trimmed and painted some appropriate color from the top of the ground; and provided further, that the poles shall be planted in conformity with the provisions of Chapter

31 of the Revised (1894) Ordinances of the City of Rock Island, regulating the planting of telephone and other poles in the said City of Rock Island.

Provided also, and further, that the conduits shall be constructed, laid, maintained and operated with their necessary ducts, mains, pipes, manholes, distributing poles and other appliances required for placing and maintaining therein wires, cables and other appurtenances thereto on such highways, streets, avenues, alleys and lanes as shall be designated by the committee of streets, alleys and public grounds, and in such manner and by such means as shall be approved by them, and the manner of connecting the wires and cables in such conduits with its overhead wires to subscribers and stations and other points shall be under the like direction and approval of the said committee.

Provided further, that no poles shall be erected upon any street or avenue of the said city where an alley is available for the same purpose, and no poles shall be placed so as to interfere with the free access to any property. All unused or "dead" poles shall be removed by said company within twenty-four (24) hours after notice to do so by the Mayor.

§ 2. Before exercising any of the privileges granted hereby, the said company shall file with the chairman of the committee on streets, alleys and public grounds, a plan, showing the location and character of the proposed work, and all such work shall be performed under the direction of the said committee on streets, alleys and public grounds, and before laying any new conduits, the said company shall file with the committee on streets, alleys and public grounds a plan showing where each conduit is to be laid, location of manholes or other openings to gain access to said conduits.

§ 3. Said company shall not, at any time, open or encumber more of any highway, street, alley or lane than shall be necessary to enable it to perform with proper economy and efficiency the work of laying its conduits, mains and pipes, nor shall it permit such opening or encumbrance

to remain for a longer period than shall be deemed necessary by the Mayor or committee on streets, alleys and public grounds to do the work for which said opening shall have been made and shall put up and maintain about such opening or encumbrance barriers or lights to prevent the happening of accidents, subject to the approval of the committee on streets, alleys and public grounds, and shall put the portion of the street disturbed in the same condition as it was before the disturbance. In case of change of grade or change of the curb lines of any street or alley whereupon such poles may have been placed the said company shall change such poles and reset the same to conform with such change at their own expense, as soon as ordered so to do by the Mayor or said committee on streets, alleys and public grounds.

§ 4. Said company shall construct and place its cables in an underground conduit within the fire limits of the city, and shall place no poles, except distributing poles, on the streets in which conduits shall be laid; providing, that one duct in said underground conduit shall be for the exclusive use of the City of Rock Island for its fire alarm and police patrol system. The Union Electric Telephone and Telegraph Company agrees to furnish all wires, labor and storage batteries for its installation of three (3) police patrol circuits, same to be confined within the city limits, free of cost to the city.

§ 5. The Union Electric Telephone and Telegraph Company, its successors or assigns, shall remove its poles and wires from over the highways, streets, avenues, alleys and lanes of said city upon one year's notice from the Mayor whenever the City of Rock Island by ordinance duly passed by the Board of Aldermen shall designate and require some other mode of running all telegraph and telephone wires through the city and said company shall then comply with said ordinance for the changing of the mode of running wires at its own cost and expense.

§ 6. That the said Union Electric Telephone and Tele-
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graph Company, its successors or assigns, during all the time it shall carry on business under this ordinance, shall furnish free of charge to the City of Rock Island, for the use of its officers or employes, fifteen (15) sets of telephone instruments to be long distance instruments, connected with the exchange by exclusive metallic circuit for each instrument and in addition fifty (50) sets of telephone instruments for the use of the fire alarm and police patrol system, wired up as fast as required by the city, and said instruments are to be placed at such locations within the city limits as the Board of Aldermen by resolution shall designate.

§ 7. The rights and privileges contained herein shall be enjoyed during the life of this franchise upon the express condition that the said company shall not charge a higher rate than fifty-two (\$52) dollars per year for telephones used for business purposes and the sum of twenty-seven (\$27) dollars per year for telephones used in residences. It is further provided, that the rates heretofore charged by said company shall continue until said company shall have installed automatic telephone exchanges in the cities of Rock Island and Moline, Illinois, and Davenport, Iowa. The said Union Electric Telephone and Telegraph Company shall also furnish to its subscribers free interchangeable service with the cities of Davenport, Iowa, and Moline, Ill., when connected by lines of said company or lines of any other companies with which it may connect. And the said company shall construct its telephone lines to Milan, Illinois, and permit all farmers exchanges within the County of Rock Island free and interchangeable service; provided, the said company is accorded the same privilege by the farmers' lines so desiring interchangeable service. The general exchange for the County of Rock Island will be located in the City of Rock Island, Illinois.

§ 8. The said Union Electric Telephone and Telegraph Company, its successors or assigns, shall pay the annual tax now imposed or that may be imposed upon tele-

TELEPHONES AND TELEGRAPH.

phone companies by the state and municipal taxing authorities according to law.

It is further agreed by the Union Electric Telephone and Telegraph Company that whenever available Union labor shall have the preference and in the departments where in Union labor is employed eight (8) hours shall constitute a day's work.

§ 9. The said Union Electric Telephone and Telegraph Company, its successors or assigns, shall file with the Mayor a bond to be renewed annually in favor of the City of Rock Island in the sum of ten thousand (\$10,000) dollars, said bond to be conditioned upon that portion of the streets, avenues, alleys and lanes of the city disturbed by said telephone company shall be restored to their former condition; also, to hold the City of Rock Island free from damage and to compensate it for moneys expended on account of accidents incurred or damage caused by neglect or fault of the said company, its successors or assigns, its agents or servants, in the construction or maintenance of its lines.

If at any time hereafter, the said Union Electric Telephone and Telegraph Company, its successors or assigns, shall sell to, assign to, lease to, consolidate with, or in any manner permit the control of a majority of its capital stock or the management of its business to become or if in fact the control of its capital stock or the management of its business shall become the property of any rival or competing telephone company, or any individual or individuals, corporation or corporations owning, controlling, managing or representing a rival or competing telephone company, doing business in the City of Rock Island, then and in such case all the rights, franchises and privileges granted hereby shall cease and terminate, and all property, rights and interests whatsoever of the company located in the City of Rock Island shall become the property absolutely of the City of Rock Island.

§ 10. That the said Union Electric Telephone and Telegraph Company, its successors or assigns, shall accept this ordinance within thirty (30) days after the signing by the Mayor, otherwise this ordinance and all rights granted by it shall be null and void.

§ 11. This ordinance shall not go into effect and none of its provisions, terms or conditions shall be conferred or innure to the said Union Electric Telephone and Telegraph Company, its successors or assigns, and the said company shall not commence the construction of its lines or system until the said Union Electric Telephone and Telegraph Company, its successors or assigns, shall by resolution, duly passed at a meeting of the said company's directors and certified to the City Clerk under the signature of its president and secretary, and the seal of the company, accepts this ordinance and all the provisions, terms, conditions and limitations therein contained, and agree to abide by and be bound by the same.

§ 12. This grant, and all rights and privileges herein contained, shall continue for a term of twenty-five (25) years from the date this ordinance goes into effect.

All ordinances or parts of ordinances in conflict herewith are hereby repealed. (Passed April 8, 1908.)

CENTRAL UNION TELEPHONE COMPANY.

An Ordinance giving permission to the Central Union Telephone Company, its successors or assigns, to construct and maintain telephone lines in the City of Rock Island, Illinois, and for that purpose to build conduits, tunnels, laterals and an underground system, and to erect poles and string wires and maintain the same over and under the public highways, avenues and alleys of said city.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That the Central Union Telephone Company, its successors or assigns, is hereby authorized to con-

struct, maintain and operate telephone lines within the City of Rock Island, and to occupy such highways, streets, avenues, alleys and lanes, and erect therein such poles, lay and construct such conduits, underground pipes, laterals, tunnels and an underground system and string such wires and cables overhead and through its conduits as may be necessary, subject to the provisions hereinafter set forth. Provided, that such poles shall be erected without materially obstructing or impeding the said sidewalks, streets, avenues, alleys and passage ways; and, provided further, that all the poles erected by virtue of this grant shall be of uniform size, as nearly as may be, and shall be neatly trimmed. Within the fire limits all poles, and beyond the fire limits all poles in streets and avenues, shall be painted some appropriate color or colors. Provided also, and further, that the conduits, underground pipes, laterals, tunnels and underground systems shall be constructed and laid with their necessary ducts, mains, pipes, manholes, distribution poles and other appliances required for placing and maintaining therein wires, cables and other appurtenances therein, under and upon such highways, streets, avenues, alleys and grounds according to a plan or drawing mentioned in Section 2 hereof; it being understood that the modern and customary methods and means shall be utilized; that no poles shall be placed so as to interfere with free access to any property; all unused or "dead" poles shall be removed by said company within three (3) days after notice to do so by the Mayor.

§ 2. Before exercising any of the privileges granted hereby, the said company shall file with the City Clerk a plan or drawing, showing the location and character of the proposed underground work, and all such work shall be performed according to said plan. Said drawing shall show where each conduit is to be laid, location of manhole or other openings, to gain access to said conduits. The said plan or drawing filed herewith shall show existing and proposed pole lines of the company, both within and beyond the fire limits of the city; a copy of said plan or drawing is

hereto attached, made a part hereof, and marked "Exhibit A." All changes in or extensions to existing pole lines not shown upon said plan or drawing, shall be done under the supervision of the street and alley committee. The grantee herein shall, to a reasonable degree, change the location of any pole or poles as may hereafter be required by said committee.

§ 3. Said company shall not at any time open or encumber more of any highways, streets, alleys or lanes than shall be necessary to enable it to perform with proper economy and efficiency the work of laying its conduits, ducts, mains and pipes, nor shall it permit such openings or encumbrance to remain for a longer period than shall be deemed necessary by the Mayor or committee on streets, alleys and grounds, to do the work for which said opening shall have been made, and shall put up and maintain about such openings or encumbrance barriers or lights to prevent the happening of accidents, subject to the approval of the committee on streets, alleys and grounds. And shall put the portion of that street disturbed in the same condition as it was before the disturbance. In case of change of grade, or change of the curb lines of any street or alley whereon such poles may have been placed, the said company shall change such poles and reset the same to conform to such change at their expense, as soon as ordered so to do by the Mayor or said committee on streets, alleys and grounds.

§ 4. Said company shall construct and place its cables in underground conduits within the present fire limits of the city, and shall place no poles, except distributing poles, on the streets in which conduits shall be laid. Provided, that one (1) duct in said underground conduit shall be for the exclusive use of the City of Rock Island, for its fire alarm and police patrol system, and all pins and insulators together with all labor necessary to pull cable through such duct for said purpose, free of charge, shall be furnished by said company, and all of said ducts shall be constructed by

said company with outlets so as to allow proper connections to be made along the curb line for the poles and fire alarm system within the fire limits. Provided further, that the top crossarms on all of said poles shall be furnished, with pins and insulators, and reserved for the use of the city, free of charge; said company to furnish the labor for stringing the city's wires at the time of the initial construction work. Provided further, that said company shall eliminate all poles possible in Seventh (7th) avenue, between Thirtieth (30th) and Forty-sixth (46th) streets, by making joint arrangements with other companies wherever said companies are willing, and the same to be done throughout the city wherever operating conditions make the same practical as suggested by the street and alley committee. Not more than one (1) cable shall cross a street at any alley.

§ 5. The Central Union Telephone Company, its successors or assigns, shall remove its poles and wires from over the highways, streets, alleys and lanes and avenues of this city within the fire district within twelve (12) months after the completion of said underground system; provided, that said company shall construct and maintain such poles as are necessary for distributing to its subscribers and for those required as laterals within said fire district.

§ 6. The Central Union Telephone Company, its successors or assigns, during all the time it shall carry on business under this ordinance, shall furnish free of charge to the City of Rock Island, for the use of its officers and employes, thirty (30) sets of telephone instruments, to be long distance instruments, connected with the exchange by metallic circuit for each instrument, and, in addition, ten (10) sets of telephone instruments for the use of the fire alarm and police patrol system, wired up as fast as required by the city; the same shall be kept in good repair by said Central Union Telephone Company, and the said instruments are to be placed at such location in the city as the Board of Aldermen by resolution shall designate.

§ 7. Said company shall charge its subscribers in the

City of Rock Island such rates as it charges in other cities of the same size and of the same character for the same class of service, and whenever such company shall reduce its rates in other cities of the same size or population, and class, the rates for the same class of service, as reduced, shall be reduced in Rock Island; provided, that the present rates charged by said company shall not be increased within a period of three (3) years from and after the passage of this ordinance.

§ 8. The Central Union Telephone Company, its successors or assigns, shall file with the City Clerk a bond for two (2) years, to be renewed for similar periods thereafter in favor of the City of Rock Island, in the sum of ten thousand (\$10,000) dollars, said bond to be conditioned that the portion of the streets, lanes and avenues of the city disturbed by said telephone company shall be restored to their former condition; also, to hold the City of Rock Island free from damage and to compensate it for monies expended on account of accidents incurred or damage caused by neglect or fault of the said company, its successors or assigns, its agents or servants, in the construction and maintenance of its lines.

§ 10. All proceedings of said telephone company, and the privileges acquired under the said ordinances, shall be subject to any ordinance relating to the same which may be passed and enforced under the city's police power.

§ 11. The said Central Union Telephone Company, its successors or assigns, shall accept this ordinance within thirty (30) days after the signing by the Mayor and City Clerk, and shall commence the construction of its underground plant and system by April 1, 1910, and shall complete and have the same in successful working operation within twelve (12) months thereafter.

§ 12. In consideration of the grants herein contained to said telephone company, its successors and assigns, said company shall within ten (10) days after the passage and approval of this ordinance pay unto the city the sum of

four thousand (\$4,000) dollars, said sum to be paid into the office of the City Clerk.

§ 13. All prior and other ordinances, if any there exist, by and between the said City of Rock Island and the said Central Union Telephone Company are hereby repealed and annulled and cancelled.

§ 14. This grant and all the rights and privileges herein contained shall take effect from and after the passage and approval hereof, and shall terminate on April 8, 1933. (Passed February 15, 1910.)

VIADUCT.

DEED TO UNITED STATES.

An Ordinance authorizing the execution of a deed conveying certain premises to and vesting the authority and control thereof in the United States of America, for the purpose of a viaduct and approach thereto, leading from Third avenue at Twenty-fourth street, in said city, to the United States wagon bridge, now existing across the south channel of the Mississippi river.

WHEREAS, It was enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the sum of thirty-five thousand (\$35-000) dollars be appropriated for the construction of a viaduct from the south end of wagon bridge between Rock Island and the City of Rock Island over the railroad tracks which adjoin the approach to said bridge, and an approach thereto at its southerly end; and

WHEREAS, In said act it is among other things provided, "that appropriations shall not be available until the City of Rock Island shall, by proper instrument, have conveyed to the United States, title, authority and control over the premises to be used for the construction and maintenance of said viaduct;" now, therefore,

Be it ordained by the City Council of the City of Rock Island: § 1. That the City of Rock Island hereby authorizes the Mayor and City Clerk of this city in consideration that the United States will construct and maintain said viaduct and a public highway as an approach thereto, and the great benefit which will accrue to said city by the accommodation and safety of the travel on said street to convey to the United States of America for the purpose of constructing and maintaining such viaduct and a public highway as an approach thereto at its southerly end, title, authority and control over the certain tracts or parcels of land lying and being in the corporate limits of said City of Rock Island:

Commencing at the point of intersection of the north line of lot five (5), block two (2), in Bailey & Boyle's addition to said City of Rock Island, with the section line between sections thirty-five (35) and thirty-six (36), in township eighteen (18), north, range two (2), west of the fourth (4th) principal meridian; thence south along said section thirteen (13) feet; thence in a southeasterly direction along the southerly line of the right of way of the Chicago and Rock Island Railroad Company, now the Chicago, Rock Island and Pacific Railroad Company, thirty-three (33) feet seven and one-half ($7\frac{1}{2}$) inches to a point in said south line of said right of way, which is thirty (30) feet and nine (9) inches at right angles east of said section line; thence south parallel with and thirty (30) feet and nine (9) inches east of said section line two hundred and ninety-five (295) feet and nine (9) inches; thence west at right angles fifty (50) feet; thence north parallel with and nineteen (19) feet and three (3) inches west of said section line through lots six (6) and five (5), in said block two (2), and alley lying between said lots three hundred and twenty (320) feet to a point in north line of said lot five (5); thence east along said lot five (5) nineteen (19) feet and three (3) inches to said section line at place of beginning.

Also that certain other tract of land that lies between the tract herein above described and the south end of the United States wagon bridge, now located and existing across the south branch of the Mississippi river at the City of Rock Island as aforesaid, and fifty (50) feet in width, being twenty-five (25) feet on either side of the axis, were produced in a straight line in a southwesterly direction to the north end of the tract of land first hereinbefore described and conveyed, all situated and being in the County of Rock Island and State of Illinois.

§ 2. That the Mayor and Clerk of the City of Rock Island, and they are hereby directed to convey by the deed of conveyance herewith presented, duly executed and acknowledged, with the corporate seal of said City of Rock Island duly affixed thereunto, the above described premises and all right, title and interest therein owned by the said City of Rock Island, and full authority and control over the same and deliver said deed to the United States of America for the uses and purposes herein set forth.

§ 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Passed December 15, 1890. 2 Mss. Ord., 438.)

BOND INDEMNIFYING FREDERICK WEYERHAEUSER AND BEN T. CABLE.

An Ordinance providing for the execution of an indemnifying bond to Frederick Weyerhaeuser and Ben T. Cable.

Be it ordained by the City Council of the City of Rock Island: § 1. That the Mayor and City Clerk be and hereby are authorized and directed, for and in behalf of the City of Rock Island, to execute under the seal of said city and to deliver unto Frederick Weyerhaeuser and Ben T. Cable, the bond of said city in the penal sum of three thousand (\$3,000.00) dollars, in the form now herewith presented, conditioned for the indemnity of

said Weyerhaeuser and Cable, their respective heirs, executors and administrators, from and against the one-third part of any and all damages, costs, charges, expenses, actions and suits, to which they or either of them may become liable or may be put to or suffer by reason of their certain bond, bearing date the seventh day of October, A. D. 1890, in the penal sum of eight thousand five hundred (\$8,500) dollars, given unto the United States of America, and conditioned in substance to secure, indemnify and save harmless said United States of America against all claims, damages and expenses in favor of adjacent property holders, by reason of the construction of a viaduct from the south end of the wagon bridge between Rock Island and the City of Rock Island, over the railroad tracks which adjoin the approach to said bridge. (Passed October 21, 1890. 2 Mss. Ord., 428.)

BOND.

Know all men by these presents: That the City of Rock Island, in the County of Rock Island, and State of Illinois, is held and firmly bound unto Frederick Weyerhaeuser and Ben T. Cable, of said city, in the sum of three thousand (\$3,000) dollars good and lawful money of the United States, to be paid to the said Weyerhaeuser and Cable, their executors, administrators or assigns, for which payment, well and truly to be made, said city hereby binds itself and its successors firmly by these presents.

In witness whereof said city has caused its corporate seal to be hereto affixed, and these presents to be signed in its behalf by the Mayor and City Clerk of said city, this twenty-first day of October, A. D. 1890.

WHEREAS, Said Weyerhaeuser and Cable did execute and deliver unto the United States of America their certain bond or obligation bearing date the seventh day of October, A. D. 1890, in the penal sum of eight thousand five hundred (\$8,500) dollars, and conditioned that they shall secure and well and truly indemnify and save harmless said United States of America against and from all claims for damages

rendered by any court of law or court of claims, in favor of the adjacent property holders upon the erection by said United States of a viaduct from the south end of the wagon bridge between Rock Island and the City of Rock Island, over the railroad tracks which adjoin the approach to said bridge and against all expenses of every kind and nature incident to any litigation that may arise or by reason or in consequence of the building and construction of said viaduct; and,

WHEREAS, It is desired by said City of Rock Island to indemnify and save harmless said Weyerhaeuser and Cable from all loss, liability or damage by reason of their having executed and delivered their said bond to the United States of America as aforesaid, to the extent of one-third of all such loss, liability and damage.

Now the condition of the above obligation is such, that if the above bonded, the City of Rock Island, or its successors, or either of them, shall well and truly indemnify and save harmless the said Frederick Weyerhaeuser and Ben T. Cable, their respective heirs, executors and administrators, from and against one-third part of any and all actions for which they, said Weyerhaeuser and Cable, may become liable, be put to, or suffer, by reason of their having executed and delivered their said bond to the United States of America as aforesaid, then this obligation to be void, otherwise to remain in full force.

WATER WORKS FILTER.

An Ordinance relating to the water supply of the City of Rock Island.

WHEREAS, The Hon. Ben T. Cable proposes, in memory of his father, the late P. L. Cable, at his own charge and expense, to build and construct upon the land belonging to the City of Rock Island to the north of the present water works building therein, a filtering plant composed of three Jewell filters, together with the pipes, pumps, en-

gines, buildings and all the necessary appurtenances, the same to be used as a part of the public system of water supply for said city, upon the condition that if the city shall cease to maintain and operate the same, or shall sell or dispose of its system of water supply or said premises, such filtering plant shall revert to the donor and may be removed from said premises pursuant to the terms of the writing now here presented.

Now, be it ordained by the City Council of the City of Rock Island: That the Mayor and City Clerk of this city be and they are hereby authorized to execute in behalf of this city and under its corporate seal the contract concerning the same now herewith presented. (Passed January 5, 1891. 2 Mss. Ord., 442.)

WEIGH SCALES.

An Ordinance "granting to the County of Rock Island the right and privilege to erect and build a weigh scales on Fourteenth (14th) street in the City of Rock Island."

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That right and permission is hereby given to the County of Rock Island to construct and erect on the sidewalk space on the east side of Fourteenth (14th) street between Second (2d) and Third (3d) avenues in the City of Rock Island a common weigh scales; the said weigh scales to be constructed so as to conform with the present grade of said sidewalk space, so as to render that part of said sidewalk of a uniformly level appearance.

§ 2. It is agreed by the County of Rock Island in accepting the terms of this ordinance and acting on the permission herein granted, it assumes liability for all accidents or damages that may arise or may be occasioned because of the existence of said weigh scale, and said County of Rock Island agrees to keep harmless the City of Rock Island for all claims for damages because thereof, and this ordinance is accepted upon that condition.

§ 3. The erection of said weigh scales shall be taken to be an acceptance of the terms of this ordinance. (Passed November 5, 1902. 4 Mss. Ord., 263.)

MOLINE STONE COMPANY.

An Ordinance granting certain privileges to the Moline Stone Company.

Be it ordained by the City Council of the City of Rock Island, Ill.: That the Moline Stone Company be, and the same is hereby authorized and granted permission to excavate and cut through the alley which runs north and south in the block between Forty-fifth (45th) street in this city and First (1st) street, in Moline, and Second (2d) and Third (3d) avenues; the width of said excavation is not to exceed fifteen (15) feet and is necessary in order to make a driveway between the properties owned by said Moline Stone Company, in said block.

This permission is granted on the express condition, that the Moline Stone Company shall build a proper bridge over the cut thus made in the alley of good three (3) inch plank, with a rail, and shall maintain around the entire premises, in said block, a good and sufficient fence, and in further condition that the said Stone Company shall not excavate, blast or remove any rock from said premises at a point nearer than one hundred (100) feet from said Forty-fifth (45) street. That said company shall give to the City of Rock Island, properly crushed, all the rock that shall be removed from said excavation and when the said driveway is no longer used, the said company shall fill same at its expense, to conform with the established grade of said alley. It is further agreed, in consideration of the permission herein granted, that the said company shall execute to the City of Rock Island, before this permission takes effect a good and sufficient bond in the sum of five thousand (\$5,000) dollars. Said bond to be approved by the Mayor and Clerk, the same to indemnify and keep harmless the City of Rock Island from all accidents or claims for damages caused or arising on account of said driveway, and the permission herein granted. (Passed November 2, 1903.)

RACE ACROSS ROCK ISLAND AVENUE.

An Ordinance authorizing the enlargement, use and maintenance of a race across Rock Island avenue.

Be it ordained by the City Council of the City of Rock Island, Ill.: § 1. That permission and authority is hereby granted to Samuel S. Davis, of the City of Rock Island, Illinois, his heirs or assigns, to enlarge the canal or race heretofore excavated across Rock Island avenue, in the Village of Sears, Rock Island County, Illinois, to the width of one hundred and fifty (150) feet, and to use and maintain the same when enlarged, as a mile race, such race may be excavated to any convenient depth, without thereby weakening or impairing the piers, abutment or other parts of said bridge across said canal.

§ 2. The said Samuel S. Davis, his heirs or assigns, shall pay one-half of the cost of construction of a highway bridge across such race when enlarged, the plans for which shall be drawn by the City Engineer, and approved by the City Council.

§ 3. Nothing in said ordinance contained shall be construed as impairing or abridging the right of said Samuel S. Davis, his heirs or assigns, to maintain and use said existing canal.

§ 4. The said Samuel S. Davis, his heirs or assigns, shall upon the acceptance of this ordinance, give to said City of Rock Island, a Bond in the penal sum of Eight Thousand (\$8,000.00) Dollars, to be approved by the City Council of said city, that he or they shall defray his or their proportion of the cost, as fixed in Section 2 of this Ordinance of the bridge to be constructed across said race.

§ 5. The said bridge shall be the sole property of the City of Rock Island and the said Samuel S. Davis, his heirs or assigns, shall have no vested right, title or interest therein or thereto.

§ 6. This Ordinance shall be null and void, unless acceptance thereof in writing shall be filed in the office of the City Clerk of said City of Rock Island within ten (10) days after its passage. (Passed August 12, 1907.)

An Ordinance granting certain privileges to the Moline Stone Company.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the Moline Stone Company, its successors and assigns, be, and the same are, hereby authorized and granted permission to quarry and crush stone on the property now owned by them or that may hereafter be owned by them in the following described territory, bounded as follows: On the east by Forty-sixth street; on the south by Third avenue; on the west by Forty-fifth street, and on the north by Second avenue in the City of Rock Island, in the county of Rock Island and State of Illinois; provided, however, that the Moline Stone Company shall within sixty days from this date, build and maintain a good and sufficient fence around the entire premises in said block, for which permission is hereby given to quarry stone. And provided further, that said Company, its successors and assigns, shall execute to the City of Rock Island before this ordinance takes effect, a good and sufficient bond in the sum of five thousand (\$5,000) dollars to indemnify and keep harmless the City of Rock Island from all claims and demands for damages that may arise by reason of the privileges herein granted; said bond to be approved by the Mayor and City Clerk of said City of Rock Island.

§ 2. All ordinances and resolutions of said City of Rock Island heretofore passed and in conflict with this ordinance are hereby repealed. (Passed Sept. 22, 1908.)

PRIVATE SEWER.

An Ordinance for the construction of a ten-inch sewer on Fifth street from Fifth avenue to Seventh avenue.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the West End Settlement House be, and it is hereby authorized to construct a private 10-inch sewer on Fifth street from Fifth to Seventh avenue.

§ 2. Said West End Settlement House shall construct said sewer at their own cost and expense, under the direction, supervision and control of the Board of Local Improvements; that the amount of the cost of the same shall be reported to the clerk of said city, who shall keep a record of the same.

§ 3. Said sewer, when completed, shall become the property of the City of Rock Island, Illinois. (Passed March 8th, 1909.)

An Ordinance regulating the minimum charge for electric service in the City of Rock Island.

WHEREAS, An ordinance passed and approved February, 1906, the minimum charge for electric meters was made one dollar and twenty cents (\$1.20) per month for each electric meter with a discount of 20 cents if the bill was paid on or before the tenth (10th) day of the following month, and

WHEREAS, It is now desired to have this limit reduced, be it ordained by the City Council of the City of Rock Island:

§ 1. That the Peoples Power Company shall be permitted to charge a minimum bill of one (\$1) per month for each electric meter, from which minimum charge it shall allow a discount of fifty (\$.50) cents if the bill is paid on or before the tenth (10th) day of the next month following that for which the bill is rendered.

§ 2. This ordinance shall be null and void unless accepted by the Peoples Power Company, and a written notice of such acceptance filed with the City Clerk of the City of Rock Island, within thirty (30) days after the passage and approval thereof. (Passed April 13th, 1910.) Accepted by Company May 12th, 1910.

VACATION OF CERTAIN STREETS.

An Ordinance for the vacation of certain parts of Sixth street, Fifth street and First avenue in the Chicago or lower addition of the City of Rock Island, County of Rock Island, State of Illinois.

Be it ordained by the City Council of the City of Rock Island, County of Rock Island, State of Illinois: § 1. That all that part of Sixth street (designated as Main street on the plat of the Chicago or lower addition to the City of Rock Island) from the north line of Second avenue (designated on said plat as Illinois street) extending north five hundred and eighteen (518) feet, and also that part of Fifth street (designated on said plat as Huron street) from the north line of Second avenue (designated on said plat as Illinois street) to the south line of First avenue (designated on said plat as Water street) extended from the east to the west side of said Fifth street, and also all that part of First avenue (designated on said plat as Water street) from the east line of said Sixth street to the east line of said Fifth street are hereby declared to be no longer used or necessary as public streets.

§ 2. That said part of Fifth street and all that part of Sixth street and all that of First avenue, described in first section hereof, be and the same are hereby vacated. (Passed November 14th, 1904.)

An Ordinance for the vacation of a portion of First avenue in the City of Rock Island, County of Rock Island, and State of Illinois.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. All that portion of said First avenue (known on the plat of the original town of Stephenson as Mississippi street) described as follows, to-wit: Beginning at a point on the prolongation of the east line of Fifteenth street (known as Buffalo street on said plat) which point is

two hundred and seventy (270) feet northerly from the northwest corner of Block one (1) measured on the prolongation of said east line of Fifteenth street; thence easterly in a straight line to a point in the prolongation of the west line of East Seventeenth street (known as East Eagle street) which is one hundred and twenty (120) feet northerly from the northeast corner of Block O; thence north on the prolongation of the said west line of said East Seventeenth street sixty (60) feet; thence westerly parallel to the south line of the tract herein described, one hundred and twenty-five (125) feet; thence northerly parallel to the west line of East Seventeenth street twenty-eight (28) feet; thence westerly in a straight line to a point in the prolongation of the west line of West Seventeenth street, which is two hundred and sixty-five (265) feet northerly from the northeast corner of said Block one (1); thence westerly in the arc of a circle whose radius is forty-six hundred and thirty (4,630) feet curving to the south to a point on the prolongation of the east line of Sixteenth street, distance three hundred and four (304) feet from the northwest corner of Block one (1) aforesaid; thence southerly thirty-four (34) feet to the point of beginning, is hereby declared to be no longer used or necessary as public streets.

§ 2. That the said part of First avenue described in the first preceding section be and the same is hereby vacated. (Passed November 14th, 1904.)

An Ordinance vacating certain parts of Second avenue, Fourth street, Fifth street, Sixth street and Seventh street, all in the City of Rock Island, Illinois.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That all that part of Second avenue (formerly Illinois street) in the City of Rock Island, Illinois, that lies west of the west line of Seventh street (formerly Pearl street) in said city, be, and the same is hereby vacated; that all that part of Fourth street (formerly Carroll street)

in said city, that lies between the north line of Third avenue (formerly Orleans street) in said city and the north line of said Second avenue, be, and the same is hereby vacated; that all that part of Fifth street (formerly Huron street) in said city, not heretofore vacated, that lies north of the north line of said Third avenue, be, and the same is hereby vacated; that all that part of Sixth street (formerly Maine street) in said city, that lies between the north line of said Third avenue and the north line of said Second avenue, be, and the same is hereby vacated; and that the west forty (40) feet of all that part of Seventh street (formerly Pearl street) in said city, that lies between the north line of said Second avenue and the south line of the right of way of the Chicago, Rock Island & Pacific Railway Company, be, and the same is hereby vacated.

An Ordinance concerning levee improvement at the expense of the Rock Island Sand and Gravel Company and the granting of the right to said company to lay a side or switch track and a spur track and to operate a steam locomotive crane, and providing for the lease by the city to said company of a portion of the levee for the exclusive use of said company for certain purposes and fixing the maximum charge for sand at said levee and establishing the maximum charge for transferring freight.

Be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That the Rock Island Sand and Gravel Company is hereby authorized and empowered to improve all that part of the levee in front of said city which lies north of the existing railway tracks and between the center line of Nineteenth (19th) street extended north and the east line of Twentieth (20th) street extended north, by constructing a stone rip-rap wall, the top of which rip-rap wall shall be in a straight line which intersects the west line of Twentieth (20th) street extended northerly at a point one hundred and seventy-eight (178) feet north of the south line of First

(1st) avenue, and which line intersects the east line of Nineteenth (19th) street extended northerly at a point one hundred and eighty-nine (189) feet north from the south line of First (1st) avenue; the said top of said rip-rap wall both east and west of said points above described to be in the same line produced easterly and westerly therefrom respectively. The top of said rip-rap wall to conform to the grade of the present tracks existing in First (1st) avenue, the north face of the rip-rap wall to have a batter or slope of one (1) foot in one (1) foot to the north, the north face of said wall to be grouted with cement mortar in such manner as to bind the stones comprising said wall firmly in place, and to have embedded in said wall suitable ringbolts for the mooring and tying up of steamboats, barges and other watercraft, and by filling into the present grade of the existing tracks all that portion of said levee south from said wall to the present existing tracks on First (1st) avenue, and by macadamizing the surface of said filling between said wall and the said present existing tracks for the purpose of a driveway. Said company shall at its own expense, construct, extend and hereafter maintain the sewer across said levee at Twentieth (20th) street, and shall construct a forty-two (42) inch sewer through the fill, from the present existing railroad tracks north to the river, and also construct a flood gate and gate box on said sewer to be located directly north of said present existing railway tracks, the same to be constructed under the supervision of the City Engineer and Street and Alley Committee of said city, and said Rock Island Sand and Gravel Company, its successors and assigns, shall thereafter maintain said sewer in good repair during the term of the grant hereinafter mentioned; said work to be done at the expense of said Rock Island Sand and Gravel Company, under the direction of the Mayor and Street and Alley Committee of said city and in accordance with a plan which is hereto attached and made a part hereof, showing the elevations of said levee as it now exists, and as it is proposed to be improved, the existing tracks and the tracks for the laying of

which the right is hereby granted (said last named tracks being shown upon said plan in white dotted lines) the line of the rip-rap wall proposed to be built and the boundaries of that part of said levee herein described; provided, however, that said Rock Island Sand and Gravel Company, at its own expense continue said rip-rap wall and filling to the east beyond the east line of Twentieth (20th) street in the same line produced easterly to meet the present existing high bank of the river as is shown upon said plan; and provided further, that all of said improvement be completed within eighteen (18) months from the date of the acceptance of this ordinance as is hereinafter provided.

§ 2. That upon the completion of said levee improvement as herein provided, permission be and hereby is granted to said Rock Island Sand and Gravel Company to lay down, construct, operate and maintain in First (1st) avenue a side or switch track, the center line of which track is described as follows:

Beginning at a point in the center line of the most northerly track of the Chicago, Rock Island and Pacific Railway Company known as the "Coal Dump Track," which point is ninety (90) feet west of the west line of Twentieth (20th) street extended north; thence running easterly by a ten degree curve to the left for a distance of ninety-one (91) feet; thence on a tangent from said curve running easterly parallel with and distant thirteen feet northerly from the north ladder track of said railway company to a point two hundred and ten (210) feet east of the west line of Twentieth (20th) street extended northerly.

Also a spur track in said First avenue, the center line of which is described as follows:

Beginning at a point in the center line of the track last above described, which is fifty (50) feet westerly from the east end of the side or switch track above described, and running thence westerly on a twenty-five degree curve to the right from the above described track one hundred (100)

feet; thence running westerly on a twenty-five degree curve to the left to a point twenty (20) feet west of the west line of Twentieth (20th) street extended north and distant north one hundred and seventy (170) feet from the south line of First (1st) avenue; thence running westerly parallel with and distant one hundred and seventy (170) feet north of and parallel to the south line of First (1st) avenue, for a distance of three hundred and ten (310) feet, the said last described spur track to be used for a locomotive crane and for no other purpose.

§ 3. That the said Rock Island Sand and Gravel Company, its successors and assigns, is hereby granted until March 5th, A. D. 1925, next after the passage of this ordinance, the exclusive privilege of using and occupying said portion of the levee so improved, and between the said center line of Nineteenth (19th) street and the east line of Twentieth (20th) street and north of the present existing tracks, for the purpose of operating a steam locomotive crane stationed upon the said spur or stub track above described, for the transferring and delivery of coal to steamboats or other watercraft upon the Mississippi river adjacent thereto, for fuel or for shipments, and for the purpose of transferring sand and gravel from boats or barges on said river there to or upon railway cars on the said switch track above herein described, or to or upon wagons or other vehicles other than railway cars upon the said driveway so to be constructed as aforesaid, and for the purpose of loading or unloading freight onto and off of steamboats or other watercraft in said river onto or from said levee or onto or off railway cars on said switch track above described with said steam locomotive crane for hire; provided, however, that the said Rock Island Sand and Gravel Company shall confine its sand and gravel business and its business of transferring and shipping of coal and the mooring of barges in connection with said sand, gravel and coal business, to that part of said levee so improved, which lies east of the center line of Block Three (3), Spencer & Cases' Addition to the City of Rock Island, produced northerly, and provided fur-

ther, however, that neither said Rock Island Sand and Gravel Company, nor any person nor corporation shall be permitted by said city to lay down, maintain or operate any railway track or tracks upon any portion of said levee so improved other than the tracks provided for in this ordinance, and that no person or corporation shall be permitted by said city to erect any structures or place any obstructions upon said portion of said levee so improved that will interfere with the said purpose of shipping, delivering and transferring of coal, sand and gravel or freight and the moving along said stub track and the operation of said steam locomotive crane.

The Rock Island Sand and Gravel Company, by accepting this ordinance, hereby agree to conduct, on that part of the premises hereinafter specified, lying west of the center line of Block Three (3), Spencer & Case's Addition to said city produced northerly as aforesaid, a public dock or wharf, for the loading and unloading of freight of every description except sand and gravel, to or from the tracks herein specified to or from the river, and in the conduct of said public dock or wharf the said Rock Island Sand and Gravel Company shall deal fairly and impartially with the public and with all persons or corporations desirous of engaging said Rock Island Sand and Gravel Company, for hire, to load or unload such freight; then said Rock Island Sand and Gravel Company shall not discriminate between persons, firms or corporations desiring to avail themselves of the privileges of said public dock or wharf, but that it shall serve all persons or corporations applying for such services both with the tracks herein specified and with said public crane, at a uniform rate for the same class of freight and without discrimination.

ness of said public dock or wharf, the premises herein de-

It is further provided that in the carrying on the business shall at all times be subject to the control of the Mayor and City Council of the City of Rock Island, and in the management of its tracks herein described it shall like-

wise be subject to the control of the Mayor and City Council of the said city.

It is further provided that the tracks herein described shall not be used as storage tracks by any railway company, but may only be used for the storage of cars which are being loaded or unloaded by said Rock Island Sand and Gravel Company, either in its business of conducting a public dock or wharf or in its own private business; that as soon as practicable after said cars are brought onto said tracks they shall be either loaded or unloaded as the case may be, and when loaded or unloaded they shall be moved from off said tracks without delay, so that said tracks may at all times be open for use by the public in loading and unloading freight to and from the river.

It is further provided that in case said Rock Island Sand and Gravel Company shall abandon the use of said premises herein granted for the purpose herein specified, or if it, or any of its assigns shall cease the business of conducting a public dock or wharf or of the public transfer of freight from said levee to the river or said river to the levee, then all rights hereby granted shall cease and determine, and the premises herein described, together with the improvements constructed in accordance with this ordinance, excepting, however, the machinery and equipment, may be taken over and controlled and managed by the City of Rock Island without any compensation being made therefor by said City to said Rock Island Sand and Gravel Company.

§ 4. Whereas the provisions of this ordinance are in conflict with the provisions of a certain ordinance entitled "An Ordinance Concerning Levee Improvement at the expense of the Rock Island and Peoria Railway Company and granting of a right to said company to lay a coal dump track, and providing for the lease by the city to said company of a portion of the levee for the exclusive use thereof for certain purposes," which said ordinance was passed March 5th, 1900, and is now in full force and effect, and whereas

the rights of said Rock Island and Peoria Railway Company in the rights and privileges granted by said ordinance have passed to its assigns, the Chicago, Rock Island and Pacific Railway Company, it is therefore hereby provided that the rights and privileges hereby granted to the Rock Island Sand and Gravel Company by this ordinance are subject to the rights and privileges contained in the said prior ordinance passed March 5th, 1900, and before proceeding with the levee improvement contemplated by this ordinance the said Rock Island Sand and Gravel Company shall first secure and file in the office of the City Clerk of this city the written consent of said Chicago, Rock Island and Pacific Railway Company to the granting to said Rock Island Sand and Gravel Company of the rights and privileges in this ordinance contained.

§ 5. Nothing in this ordinance contained shall be construed as in any way abridging or restricting the right of said city to control the landing of steamboats or other watercraft at said levee, or the right to the collection of wharfage from said boats or watercraft, or as to prohibit the use of such levee for the landing or deposit for shipment of articles of merchandise other than sand and gravel by persons or corporations other than the Rock Island Sand and Gravel Company; on the contrary, it is the express intention of said City of Rock Island Sand and Gravel Company to encourage river traffic and the landing and embarkation of passengers and freight over said portion of said levee, and it is the desire and purpose of said Rock Island Sand and Gravel Company for hire to use the said locomotive crane for the purpose of loading and unloading coal and freight other than sand and gravel for all persons or corporations delivering freight or coal at said levee or using said levee as a steamboat landing place. And it is hereby provided that the said Rock Island Sand and Gravel Company may charge a sum not to exceed twenty (20c) cents per ton for transferring, loading or unloading coal or freight to and from steamboats, barges or other watercraft at said levee with said locomotive crane, and that during the period of

navigation on said Mississippi river, during each year the price of sand on barges at said levee shall not exceed the sum of forty (40c) cents per cubic yard.

§ 6. That for and in consideration of the grants and privileges herein contained, the said Rock Island Sand and Gravel Company, its successors and assigns, shall pay to the City Clerk of said city during the month of April of each and every year after the passage and acceptance of this ordinance, during the term contemplated by this ordinance, the sum of two hundred (\$200) dollars as rental.

§ 7. The said Rock Island Sand and Gravel Company shall, upon the acceptance of this ordinance, file with the City Clerk of the City of Rock Island, together with the written acceptance hereinafter provided for, a bond in the penal sum of twenty-five hundred (\$2,500) dollars payable to the City of Rock Island, conditioned that the said Rock Island Sand and Gravel Company shall complete the improvement of said levee within the time and in the manner specified in this ordinance, and upon its failure to so complete said improvement to forfeit the penalty in said bond named.

§ 8. This ordinance shall take effect upon the filing in the office of the City Clerk of said city, within thirty (30) days after the passage hereof, by said Rock Island Sand and Gravel Company, its written acceptance of this ordinance, and after said acceptance is filed this ordinance and said acceptance shall have the force and effect of and be a contract between said city and said Rock Island Sand and Gravel Company, its successors and assigns.

(Passed April 6th, 1910.)

An Ordinance granting the Rock Island Plow Company the right to lay an extension to a side track now on Second avenue.

Be it ordained by the City Council of the City of Rock

be and hereby is granted the right to lay down, use, construct, maintain, use and operate on Second avenue, an extension of the switch track which said company now has upon said avenue and which lies on the north side of Second avenue and terminates at a point about 115 feet east of the east line of Fifth street; said extension to extend easterly along and on said Second avenue to the west line of Seventh street, about 422 feet, the center line of which to be parallel to and seventeen feet from the north property line of said avenue.

§ 2. The tracks to be laid pursuant to the provisions of this ordinance, shall be laid under the supervision, and to the satisfaction of the street and alley committee of said city. (Passed July 1st, 1907.)

An Ordinance granting permission to the Tri-City Railway Company, and its successors, to erect and maintain poles along Eleventh street, between Twentieth avenue and Eighteenth avenue, and to carry thereon the necessary overhead construction for the operation of its street railway.

The Tri-City Railway Company now has its street railway track located upon its right-of-way in the City of Rock Island, from Twentieth avenue to Eighteenth avenue, and has its poles on such right-of-way, carrying the overhead construction necessary for the operation of its street railway. There is now opened a street highway along side of said private right-of-way of said Street Railway Company, which is known as Eleventh street. Property owners of a majority of the frontage on Eleventh street, between Tenth avenue and Eighteenth avenue have presented to the City Council a written request and consent that the said Street Railway Company may be authorized to erect and maintain its poles on the curb lines of Eleventh street, as now located, and carry thereon the necessary overhead construction in connection with the operation of said street railway system.

§ 1. That permission be and hereby is given to the Tri-City Railway Company, and its successors and assigns, to erect and maintain at the curb line on each side of Eleventh street in the City of Rock Island, Illinois, between Tenth avenue and Eighteenth avenue, the necessary poles to carry the overhead construction for the operation of a street railway of the said company, on Eleventh street, and to carry on said poles the necessary overhead construction that may be required by said company in the operation of its street railway.

§ 2. This ordinance shall take effect and be in full force from and after the filing with the City Clerk, by said company, and the written acceptance of the same, provided such acceptance shall be filed within fifteen (15) days from its passage and approval. (Passed November 9th, 1908.)

An Ordinance granting to the Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, the right to use, enjoy, possess and maintain, for a period of twenty (20) years, all the rights, privileges and franchises, to construct, operate and maintain street railways in the City of Rock Island, Illinois, heretofore granted to the Moline and Rock Island Horse Railroad Company, The Union Street Railway Company, The Rock Island & Milan Street Railway Company, The Davenport & Rock Island Railway Company, and said Tri-City Railway Company, as the said rights, privileges and franchises are now used and enjoyed by said Tri-City Railway Company, the successors of the companies severally above named, in the operation and maintenance of said street railways; and also to grant to said Tri-City Railway Company, its successors and assigns, the right to construct, maintain and operate a single or double track street railway on the following streets in the City of Rock Island, Illinois, to-wit:

Beginning at the present terminus of tracks at Ninth

(9th) avenue and Twenty-fifth (25th) street; thence south on Twenty-fifth (25th) street to Thirteenth (13th) avenue; thence east on Thirteenth (13th) avenue to connection with present tracks on Thirtieth (30th) street; beginning at connection with present tracks at Seventh (7th) avenue; thence south on Thirty-eighth (38th) street to Eighteenth (18th) avenue, with connections to present tracks on Fourteenth (14th) avenue; on Seventh (7th) street from Second (2d) avenue to Eleventh (11th) avenue; thence west on Eleventh (11th) avenue to Second (2d) street; thence south on Second (2d) street to Thirteenth (13th) avenue.

Whereas, The Tri-City Railway Company is now the sole owner of all the street railway properties and street railway rights of way, with all of the appurtenances thereto belonging, now located in the City of Rock Island, and in operation therein on divers streets and avenues of said city, together with all the rights, privileges and franchises which were heretofore granted by the City Council of the City of Rock Island, by ordinance or resolution, of said City Council to the Moline & Rock Island Horse Railroad Company, the Union Street Railroad Company, the Rock Island & Milan Street Railway Company, the Davenport & Rock Island Railway Company, and the Tri-City Railway Company, under which said street railways have been and are now operated and maintained by said Tri-City Railway Company; and

Whereas, It is desired by the citizens of Rock Island, and the Mayor and City Council of said city, that the said Tri-City Railway Company shall extend its railway tracks, and operate the same upon the additional streets in said city, upon which, at this time, there is no street car service, and which streets are as follows, to-wit:

Beginning at the present terminus of tracks at Ninth (9th) avenue and Twenty-fifth (25th) street, thence south on Twenty-fifth (25th) street to Thirteenth (13th) avenue, thence east on Thirteenth (13th) avenue to connection with present tracks on Thirtieth (30th) street; beginning at con-

nection with present tracks at Seventh (7th) avenue, thence south on Thirty-eighth (38th) street to Eighteenth (18th) avenue, with connections to present tracks on Fourteenth (14th) avenue; on Seventh (7th) street from Second (2d) avenue to Eleventh (11th) avenue, thence west on Eleventh (11th) avenue to Second (2d) street, thence south on Second (2d) street to Thirteenth (13th) avenue; and

Whereas, Prior to the passage of this ordinance, petitions of the owners of the land representing more than one-half ($\frac{1}{2}$) of the frontage on each and all of the streets and avenues, or so much thereof as is sought to be used for street railway purposes, as particularly last described; and also signed by the owners of the land representing more than one-half ($\frac{1}{2}$) of the frontage of each mile, and of the fraction of a mile, if any, in excess of the whole miles, measuring respectively from the initial points respectively named in such petitions, of each and all of such streets and avenues, or of the respective parts thereof sought to be used for street railway purposes, as specially described aforesaid, requesting the City Council of the City of Rock Island, and State of Illinois, to grant unto the Tri-City Railway Company, its successors and assigns, the rights, privileges, franchises, concessions and authority, upon the said streets and avenues, were duly filed with the City Clerk and presented to the City Council of said City of Rock Island; and

Whereas, The said City Council of the said City of Rock Island, after the filing of said petitions, but before the passage of this ordinance, fully heard, examined, and considered said petitions, and it appeared to them, and they found that said petitions were signed by the owners of the land representing more than one-half ($\frac{1}{2}$) of the frontage on each and all of the said streets and avenues, or as much thereof as is sought to be used for street railway purposes, and as described aforesaid; and also signed by the owners of the land representing more than one-half ($\frac{1}{2}$) of the frontage of each mile, and of the fraction of a mile, if any, in excess of the whole miles, measured respectively from the initial

points respectively named in such petitions, of each and all of said streets and avenues, or of the respective parts thereof sought to be used for street railway purposes as described aforesaid, in accordance and in full compliance with the statute of the State of Illinois, and in such case made and provided; and

Whereas, The petition of the said Tri-City Railway Company addressed to the Mayor and City Council of said City of Rock Island, for an ordinance granting unto the said company, its successors and assigns, the right to use, enjoy, possess and maintain, for a period of twenty (20) years, all the rights, privileges and franchises, to use, operate and maintain street railways in the City of Rock Island, as heretofore granted to the Moline & Rock Island Horse Railroad Company, the Union Street Railway Company, the Rock Island & Milan Street Railway Company, the Davenport & Rock Island Railway Company, and said Tri-City Railway Company, as the said rights, privileges and franchises are now used and enjoyed by said Tri-City Railway Company, the successor of the companies severally above named; and also to grant to said Tri-City Railway Company, its successors and assigns, the right to construct, maintain and operate a single or double track street railway upon the following additional streets in the City of Rock Island, to-wit:

Beginning at the present terminus of tracks at Ninth (9th) avenue and Twenty-fifth (25th) street; thence south on Twenty-fifth (25th) street to Thirteenth (13th) avenue, thence east on Thirteenth (13th) avenue to connection with present tracks on Thirtieth (30th) street; beginning with connection at present tracks at Seventh (7th) avenue; thence south on Thirty-eighth (38th) street to Eighteenth (18th) avenue, with connections to present tracks on Fourteenth (14th) avenue; on Seventh (7th) street from Second (2d) avenue to Eleventh (11th) avenue, thence west on Eleventh (11th) avenue to Second (2d) street, thence south on Second (2d) street to Thirteenth (13th) avenue; and,

Whereas, In order to locate and construct the said rail-

way tracks upon certain of the streets and avenues, as hereinbefore described, it will be necessary to do a very large amount of grading and filling, and will call for the expenditure of a large amount of money, the greater part of which grading and filling the City Council of the City of Rock Island requests and desires the railway company to do and perform, and which such grading and filling will be of material benefit to the city of Rock Island, and the citizens thereof; and,

Whereas, the said Tri-City Railway Company is willing, in consideration of an extension at this time, for a period of twenty (20) years from the date of this ordinance, all of the rights, privileges and franchises, to construct, operate and maintain street railways in the City of Rock Island and on its bridges, as they are now owned, possessed, and maintained and operated by the said Tri-City Railway Company, to make the extensions of its railway system upon the streets hereinbefore described, and to do and perform such portion of the necessary grading and filling upon the said streets and avenues as may be agreed upon, such filling and grading to be done and performed by said railway company, and accepted and received by the City of Rock Island as compensation hereunder, and not as a part of the construction of any of the railway tracks hereinafter authorized.

Now, be it ordained by the City Council of the City of Rock Island, Illinois: § 1. That in consideration of the acceptance hereof, and the undertaking of the Tri-City Railway Company to comply with the provisions hereof, all the certain rights, privileges and franchises which were heretofore granted by the City Council of the City of Rock Island, by ordinance or resolution of said City Council, to the Moline & Rock Island Horse Railroad Company, the Union Street Railway Company, the Rock Island & Milan Street Railway Company, the Davenport & Rock Island Railway Company, and the Tri-City Railway Company, and which are now owned, possessed and enjoyed by said Tri-City Railway Company, the lawful successor of said companies, be,

and the same hereby are granted, renewed, continued and confirmed unto said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, for and during the full term of twenty (20) years from the passage of this ordinance.

§ 2. That in consideration of the acceptance hereof, and the undertaking of the Tri-City Railway Company to comply with the provisions hereof, full power, right and authority be, and the same hereby is granted to said Tri-City Railway Company, its successors and assigns, to construct and maintain for a period of twenty (20) years from and after the passage and approval of this ordinance, a single or double track street railway upon the following streets and avenues in the City of Rock Island, Illinois, to-wit:

Beginning at present terminus of tracks at Ninth (9th) avenue and Twenty-fifth (25th) street, thence south on Twenty-fifth (25th) street to Thirteenth (13th) avenue, thence east on Thirteenth (13th) avenue to connection with present tracks on Thirtieth (30th) street; beginning at connection with present tracks at Seventh (7th) avenue, thence south on Thirty-eighth (38th) street to Eighteenth (18th) avenue, with connections to present tracks on Fourteenth (14th) avenue; on Seventh (7th) street from Second (2d) avenue to Eleventh (11th) avenue, thence west on Eleventh (11th) avenue to Second (2d) street, thence south on Second (2d) street to Thirteenth (13th) avenue; work on the above to be commenced within sixty days after the passage and approval of this ordinance.

§ 3. The right and franchises for the location of said railway tracks upon the streets and avenues described in the preceding section, is upon the express condition that the tracks shall be operated and maintained as a part of the existing system of the Tri-City Railway Company in the City of Rock Island, and shall be located, maintained and operated under the terms and conditions as now exist in relation to the operation of those tracks to which the same shall be connected and form a part, as is provided for by the ordinances to the said Tri-City Railway Company.

§ 4. The Tri-City Railway Company has agreed to remove its rails on Second (2d) avenue between Seventh (7th) and Fifth (5th) streets and on Fifth (5th) street between Second (2d) and Fourth (4th) avenues, provided the City Council order it so to do, which order the City Council hereby gives, which instructions to remove the rails immediately upon the completion of the tracks on Seventh street between Second (2d) and Eleventh (11th) avenues.

§ 5. Said Tri-City Railway Company further agrees to the following conditions and requirements:

First. The City of Rock Island promises and agrees to establish a grade on that part of Thirty-eighth (38th) street to be occupied hereunder, at no greater percentage than at present established, and on that part of Twenty-fifth (25th) street to be occupied hereunder, the grade not to exceed six per cent (6%), and the Tri-City Railway Company agrees to construct, maintain and operate a street railway line on said Thirty-eighth (38th) street from Seventh (7th) to Eighteenth (18th) avenues, at the same time said street is being improved by grading and paving, even though the improvement is not undertaken within five (5) years from the passage and approval of this ordinance, and when completed, to maintain a thirty (30) minute schedule thereon.

The said railway company further agrees that when said Thirty-eighth street is improved, that said company will pay for that portion of the whole grading and paving as the space between the rails and for eighteen (18) inches outside of the said rails bears to the total width of the street from curb to curb.

Second. The Railway Company agrees to do a fair proportion of the necessary grading and filling of said streets, to bring the same to said established grades, such proportion to be agreed upon between the City of Rock Island and the Railway Company, upon conditions, and provided, that the City will permit the Railway Company to obtain the necessary dirt from the adjoining streets; the City will pro-

tect and hold the Railway Company harmless from any and all claims for damages by abutting property owners on said streets, because of and on account of the change of grade and the grading and filling of said streets to conform to the grade established by the City; and further provided, that the Railway Company shall be permitted to remove the present bridge on said Thirteenth (13th) avenue, and to fill to the width of the present bridge, the avenue at that place to conform to the established grade, to do and perform which work and improvement the right is hereby granted the said Railway Company.

Third. The Railway Company agrees that it will proceed promptly, after the passage of this ordinance, to do the grading and filling hereinbefore defined, which it is to do, and bring the same to completion, and have its railway upon said additional streets, located, constructed and in operation within eighteen (18) months after the passage of this ordinance, provided the City will do its part so as not to delay the work hereunder.

§ 6. It is understood and agreed that the Tri-City Railway Company shall furnish transportation from any point on its lines in the City of Rock Island to any other point on its lines in said city, to mail carriers of the United States, when in uniform, for such sums as shall be the amount of the annual appropriation of the United States for transportation purposes, applicable to the Post Office of Rock Island.

§ 7. It is further provided and understood that the Tri-City Railway Company shall, as it becomes necessary to remove old poles, or re-set them, within the fire limits of the City of Rock Island, replace the same with iron poles, or in case the city or citizens thereof undertake to beautify, or pave, or illuminate any special block in said fire district, the said Tri-City Railway Company will, at the same time that the said improvement is being made, replace the existing wooden poles with iron poles.

§ 8. It is further agreed that the Tri-City Railway

Company shall double track its lines on Third avenue between Fifteenth (15th) and Twentieth (20th) streets.

§ 9. It is further agreed that the Tri-City Railway Company, its successors and assigns, shall sprinkle or cause to be sprinkled, all paved portions of streets and avenues on which its tracks are laid and operated in the City of Rock Island, north of the south curb line of Seventh (7th) avenue and on Twenty-first (21st) street, between Seventh (7th) and Ninth (9th) avenues, and on Fifteenth (15th) street between Seventh (7th) and Eleventh (11th) avenues, said sprinkling to be done at least twice each day from the first day of April to the first day of October, each and every year after the passage and approval of this ordinance, the water for such sprinkling purposes to be furnished by the City of Rock Island to the Railway Company without charge.

§ 10. The Tri-City Railway Company agrees to pay to the City of Rock Island, for the use of certain Rock river bridges, belonging to the City of Rock Island, near Milan, (being the bridges now used by the railway company) the sum of twelve hundred and fifty (\$1,250) dollars per annum during the period of this franchise, payable May 1st in each year.

Provided, however, that in case the city is in need of funds to repair or reconstruct said bridges, and shall have entered into contract therefor, the Railway Company agrees, upon request through resolution of the City Council, to pay in advance such portion of said rental, not to exceed the aggregate sum of twenty-five thousand (\$25,000) dollars, as may be shown to be needed under said contract for repairs or reconstruction.

And, provided, further, that the sum aforesaid, whether paid annually or in advance, shall be paid by said Railway Company and received and accepted by the said City of Rock Island in satisfaction of all claims, rentals or charge due, or to become due, to said City of Rock Island, or its grantees, for the use of said bridges by said company during the period

of twenty (20) years from the passage and approval of this ordinance.

And, provided, further, that all the terms and conditions in existing ordinances, applicable to the use of said bridges by said railway Company inconsistent herewith, be hereby repealed.

§ 11. First. All the franchises in this ordinance extended and renewed to said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, shall be subject to all the terms, conditions and requirements of the original and supplemental ordinances, granting the said franchises, and subject further to all the rights, privileges and reservations reserved to the City of Rock Island by the said original and supplemental ordinances, except as hereinotherwise provided.

Second. It is agreed that the Tri-City Railway Company, during the life of the franchise granted by this ordinance, give to the City of Rock Island the same minimum rate of fare that said Railway Company, during said time, shall give to the cities of Moline, Illinois, and Davenport, Iowa.

Third. It is further agreed that the Tri-City Railway Company, its successors and assigns, will, from and after the passage and approval of this ordinance, continue to repair its cars, and such cars as the Railway Company may itself build, shall be built in the shops of said Railway Company in the City of Rock Island, and, provided, further, that the sub-station (formerly power house) on Twenty-third street, shall be continued as at present.

Fourth. Said Railway Company agrees that within two (2) years after the passage and approval of this ordinance, a twelve (12) minute schedule will be provided on its line now known as the "Blue Line."

Fifth. It is further agreed that the Tri-City Railway Company, its successors and assigns, will from and after the passage and approval of this ordinance, run a car hourly

from Davenport, Iowa, to Rock Island, Illinois, and return, from twelve o'clock midnight until six o'clock a. m., and then continue the service on the same schedule as at present.

§ 12. The said Tri-City Railway Company shall be liable for and pay to persons injured, whether in person or property, all damages which may result from the negligence or carelessness of said company, or any of its agents, servants or employes, in the erection, maintenance or operation of its lines of railway, and said Railway Company shall save and hold said City of Rock Island harmless from all damages, costs and causes of action which may accrue against it by reason of the erection, maintenance and operation of the said lines of railway.

§ 13. The Tri-City Railway Company, its successors and assigns, shall maintain during the period hereof a first-class street railway system, with reasonable and proper extensions and betterments of the system and service as the growth of the city and the increase in the population demands in handling street railway business.

The said Tri-City Railway Company, its successors and assigns, shall furnish for the service of its patrons, first-class, modern cars and equipment, and they shall be kept reasonably comfortable and well lighted at all times.

The said Railway Company in event of disagreement or dispute with reference to wages or working hours with its motormen and conductors, which may result in a strike or lock-out, shall submit the question at issue to a board of arbitration, such board to be composed of one member appointed by the Railway Company, one by the employes, and the two so chosen shall elect a third party, which board of arbitration shall consider the points at issue, and their decision shall be final, and binding on both parties to the arbitration.

§ 14. The cars of interurban companies shall be permitted to enter to the business district of the city of Rock Island, over the tracks of the Tri-City Railway Company,

as hereto authorized, for the purpose of delivering in-coming business which originates beyond, and out-going business destined beyond the territory served by this company, under such equitable allowance for compensation for the use of tracks, terminals, power, etc., as may be agreed upon or arrived at in the usual way, due consideration being given to the weight of equipment, operating conditions and demand on power of this company.

§ 15. Said company further agrees that its cars on the "Elm" street line will turn on Seventh (7th) street and Second (2d) avenue, and go thence south to Fourth (4th) avenue, thence west on Fourth (4th) avenue to terminus at First (1st) street.

§ 16. It is further understood and agreed by and between the said Tri-City Railway Company, its vendees, lessees, mortgagees, successors and assigns, and the City of Rock Island, that no ordinance granting any rights, privileges or franchise to the said Tri-City Railway Company, or its predecessors, by said city, or binding the said company or its predecessors to do or perform any act or thing, shall be repealed, except it be in direct conflict with the terms of this ordinance.

§ 17. The said Railway Company shall, within thirty (30) days from the passage and approval of this ordinance, file with the City Clerk of the City of Rock Island, its acceptance in writing, of the terms and conditions of this ordinance, and upon the failure of said Railway Company so to do, within said time, this ordinance shall be void and of no effect.

Passed April 13th, A. D. 1910.

Vetoed by Mayor April 18th, 1910.

Reconsidered and passed over Mayor's veto by vote of eleven ayes and two nays, April 21st, 1910.

Approved May 2d, A. D. 1910.

GEORGE W. MCCASKRIN, *Mayor*.

Attest: M. T. RUDGREN, *City Clerk*.

I, M. T. Rudgren, City Clerk of the City of Rock Island, do hereby certify that the foregoing ordinance is a true and correct copy of an ordinance passed by the City Council of the City of Rock Island, at a regular meeting of said Council held April 13, 1910, and which said ordinance the Mayor of the said City of Rock Island returned to the City Council at its regular meeting held April 18th, 1910, with his veto thereof attached, and that at an adjourned regular meeting of said Council, held April 22, 1910, Alderman Blocklinger, a member of said Council, moved an immediate reconsideration of the foregoing ordinance, which motion was properly seconded and carried. Alderman Blocklinger then moved the adoption of the foregoing ordinance, which said motion was properly seconded, and an aye and nay vote of the members of the City Council was taken thereon; and that eleven members of said Council voted for the adoption of the foregoing ordinance and two members of said Council voted against the adoption of the foregoing ordinance. Whereupon the Mayor declared said ordinance passed and adopted.

In Witness Whereof, I have hereunto attached my signature and the seal of the City of Rock Island, Illinois, this 22d day of April, A. D. 1910.

(Signed) M. T. RUDGREN, *City Clerk.*

PART IV.

GRADES OF STREETS

(This does not purport to give all the
grades of the City)

GRADES OF STREETS

An Ordinance establishing grades in the streets of the City of Rock Island.

Be it ordained by the City Council of the City of Rock Island: § 1. The system and plans of general grades for the streets of this city prepared by Special Engineer W. G. Paddock, comprising sheets numbered one (1) to nine (9) inclusive, approved by the City Council March 18, 1889, and filed in the office of the City Clerk of this city, are hereby adopted.

§ 2. Said grades are referred to permanent bench marks, the description, location and elevation of which are given in the book marked "Bench Marks, City of Rock Island," filed in the office of the City Clerk of this city, and these bench marks are adopted as a means of locating the grades specified. The iron stakes, the description, location and approximate elevation of which are given in the same book are not adopted as a means of ascertaining the grades, but shall only be regarded as a convenient means of approximating them.

§ 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. (Passed April 5, 1889. 2 Mss Ord., 303.)

(COPY OF BOOK ABOVE REFERRED TO.)

C. B. M. No. 1 is on Mr. McMaster's dwelling house near the southwest corner of Thirtieth street and Fifth avenue. It is center of hole in copper bolt set horizontally in the east wall .6 of a foot from the northeast corner of the same and 1 foot above the ground. Elevation, 44.231 feet.

C. B. M. No. 2 is on main building of the Huber Brewery near the southeast corner of Thirtieth street and Seventh

avenue. It is center of hole in copper bolt set horizontally in the west side of the stone foundation 2.2 feet below a stone marked "1880" and 8 inches south of the northwest corner of the same. Elevation, 111.448 feet.

C. B. M. No. 3 is on K. Atkinson's dwelling house near the southeast corner of Thirtieth street and Tenth avenue. It is the center of hole in copper bolt set horizontally in the west wall 20 inches south of the northwest corner of the same and 1 foot above the ground. Elevation, 170.139 feet.

C. B. M. No. 4 is on stone foundation of T. H. Church's dwelling house near the southwest corner of Thirtieth street and Thirteenth avenue. It is the center of hole in copper bolt set horizontally 6 inches west of the northeast corner of the same and one foot above the ground. Elevation, 156.-946 feet.

C. B. M. No. 5 is on chimney of the South Park Presbyterian church near the southeast corner of Thirtieth street and Fifteenth avenue. It is the center of hole in copper bolt set horizontally in the southside of said chimney 3 feet above the ground. Elevation, 162.097 feet.

C. B. M. No. 6 is on the stone foundation of Mr. Hardy's dwelling house near the southeast corner of Twenty-fourth street and Fifth and a Half avenue. It is the center of hole in copper bolt set horizontally in said foundation 14 inches south of the northwest corner of the same and 20 inches above the ground. Elevation, 37.453 feet.

C. B. M. No. 7 is on the stone foundation of Ed. Shield's dwelling house near the southeast corner of Twenty-fifth street and Fifth and a Half avenue. It is center of hole in copper bolt set horizontally in west wall of said foundation 8 inches south of the northwest corner and 6 inches above the ground. Elevation, 36.805 feet.

C. B. M. No. 8 is on stone foundation of Mrs. Kerby's dwelling house near southeast corner of Twenty-sixth street and Fifth and a Half avenue. It is center of hole in copper bolt set horizontally in said foundation 10 inches south of the

northwest corner of the same and 6 inches above the ground. Elevation, 36.425 feet.

C. B. M. No. 9 is on foundation of city water works. It is center of hole in copper bolt set horizontally in upper foundation stone in the east side of the southeast corner. Elevation, 20.476 feet.

C. B. M. No. 10 is on the west stone abutment of the railroad culvert through which pass the Davenport and Rock Island street cars. It is top of copper bolt set vertically in said abutment near the top and near the south end of the same. Elevation 30.169 feet.

C. B. M. No. 11 is on the west side of the retaining wall of a culvert on Fifth avenue near Twenty-seventh street. It is center of hole in copper bolt set horizontally in said retaining wall 6 inches below the capstone. Elevation, 31.906 feet.

C. B. M. No. 12 is on the west wall of the Bean block. It is center of hole in copper bolt set horizontally in said wall 9 inches north of the northeast corner of Twelfth street and Third avenue and $3\frac{1}{2}$ feet above the sidewalk. Elevation, 24.120 feet.

C. B. M. No. 13 is on south side of stone foundation wall of saloon building. It is center of hole in copper bolt set horizontally in said wall $1\frac{1}{2}$ feet east of the northeast corner of Twelfth street and Fifth avenue. Elevation, 16.791 feet.

C. B. M. No. 14 is on stone foundation wall of building. It is center of hole in copper bolt set horizontally in said wall on the west side of Twelfth street and about 40 feet north of northwest corner of Twelfth street and Seventh avenue and being 10 inches south of the northeast corner of said building and 3 inches above the sidewalk. Elevation 18.966 feet.

C. B. M. No. 15 is on north wall of school building near the southeast corner of Twelfth street and Ninth avenue. It is center of hole in copper bolt set horizontally in said wall

2.8 feet west of the northeast corner of said building and 5 feet above a walk. Elevation, 37.555 feet.

C. B. M. No. 16 is on east wall of a store at southwest corner of Twenty-first street and Fifth avenue. It is center of hole in copper bolt set horizontally in said east wall, 8 inches south of the southwest corner of Twenty-first street and Fifth avenue, and 10 inches above the sidewalk. Elevation, 27.601 feet.

C. B. M. No. 17 is on north wall of foundation of house. It is center of hole in copper bolt set horizontally in said wall 12 inches east of the southeast corner of Ninth street and Fifth avenue, and 17 inches above the ground. Elevation, 16.024 feet.

C. B. M. No. 18 is on the south foundation wall of a house near the northeast corner of Ninth street and Second avenue. It is center of hole in copper bolt set horizontally in said wall 2.3 feet east of the southwest corner of said house and 1.4 feet above the ground. Elevation, 27.504 feet.

C. B. M. No. 19 is on foundation of saloon on the southwest corner of Ninth street and Seventh avenue. It is center of hole in copper bolt set horizontally in said foundation .8 of a foot south of the northeast corner of said building, and one foot above the ground. Elevation, 19.515 feet.

C. B. M. No. 20 is on the south end of east wing wall of stone culvert. It is center of hole in copper bolt set horizontally in said wall one foot below the capstone and 12 feet north of the southeast corner of Ninth street and Tenth avenue. Elevation, 20.980 feet.

C. B. M. No. 21 is on brick store building at the southeast corner of Twentieth street and Third avenue. It is center of hole in copper bolt set horizontally in the north wall of said building, $8\frac{1}{2}$ feet east of the northwest corner and 1.8 feet above the sidewalk. Elevation, 22.216 feet.

C. B. M. No. 22 is on the south wall of house No. 705 Fourth avenue. It is center of hole in copper bolt set horizontally in said wall 4 inches west of the southeast corner

of said house, being 6 inches above the ground and 75 feet east of the northeast corner of Seventh street and Fourth avenue. Elevation 26.023 feet.

C. B. M. No. 23 is on a stone wall. It is center of hole in copper bolt set horizontally in a stone wall 8 feet south of the southwest corner of Fourth street and Fourth avenue, and is two feet above the ground. Elevation, 28.935 feet.

C. B. M. No. 24 is on south wall around Hugh Warnock's house. It is center of hole in copper bolt set horizontally in said wall, 2 feet east of the southwest corner of the same, 1 foot above the ground, being $73\frac{1}{2}$ feet north of the northeast corner of Second street and Fifth avenue. Elevation, 23.519 feet.

C. B. M. No. 25 is on south side stone foundation wall of house No. 423 Sixth street. It is center of hole in copper bolt set horizontally in said wall .7 feet east of the southwest corner of the same and 2 feet above the ground. It is also about 75 feet north of Fifth avenue. Elevation, 17.850 feet.

C. B. M. No. 26 is on brick Armory building at the southwest corner of Sixteenth street and Third avenue. It is center of hole in copper bolt set horizontally in the east wall of said building $91\frac{1}{2}$ feet south of the northeast corner of the same and $3\frac{1}{2}$ feet above the sidewalk. Elevation, 24.960 feet.

C. B. M. No. 27 is on the brick Harper House building at the southwest corner of Nineteenth street and Second avenue. It is the center of hole in copper bolt set horizontally in the east wall of said building 2.9 feet south of the northeast corner of the same and 2.84 feet above the sidewalk. Elevation, 23.352 feet.

C. B. M. No. 28 is on brick store building at the southeast corner of Seventeenth street and Second avenue. It is center of hole in copper bolt set horizontally in the west wall of said building $21\frac{1}{2}$ feet south of the northwest corner of the same and 3 feet above the sidewalk. Elevation, 25.031 feet.

C. B. M. No. 29 is on north wall of WideAwake Hook and Ladder House. It is center of hole in copper bolt set horizontally in said wall, 19.4 feet east of the southeast corner of Fourteenth street and Second avenue, and 2.8 feet above the sidewalk. Elevation, 21.945 feet.

C. B. M. No. 30 is on the foundation wall near the northeast corner of house No. 1028 Second avenue. It is center of hole in copper bolt set horizontally in said wall about 20 feet south and about 25 feet west of the southwest corner of Eleventh street and Second avenue and 1.2 feet above ground. Elevation, 24.414 feet.

C. B. M. No. 31 is on the south wall of the Rock Island Plow Co.'s main building, .85 feet east of the southwest corner of said building. It is center of hole in copper bolt set horizontally in said wall about in line with the west side of Fifth street and on the north side of Second avenue. Elevation, 20.804 feet.

C. B. M. No. 32 is on the stone foundation wall of new Stove Works building, 3 feet above the ground and 2 feet east of the southwest corner of said building. It is center of hole in copper bolt set horizontally in said wall and it is about 2 feet east of the west line of Third street and on the north side of Third avenue. Elevation, 17.450 feet.

C. B. M. No. 33 is on the north wall of school building .7 feet east of the northwest corner of said building and 3 feet above the ground. It is center of hole in copper bolt set horizontally in said wall about 80 feet east and 25 feet south of the southeast corner of Seventh street and Third avenue. Elevation, 30.846 feet.

C. B. M. No. 34 is on stone foundation of the Catholic church spire at the southeast corner of Twenty-second street and Fourth avenue. It is center of hole in a copper bolt set horizontally on the north side of said spire, 1.6 feet east of the northwest corner of the same and is 3.2 feet above the sidewalk. Elevation, 28.207 feet.

C. B. M. No. 35 is on brick building near the southwest

corner of Nineteenth street and Fourth avenue. It is center of hole in copper bolt set horizontally in the east wall of said building .7 feet south of the northeast corner of the same and 3 feet above the ground. Elevation, 21.296 feet.

C. B. M. No. 36 is on stone foundation wall of saloon building on the northwest corner of Fifth Avenue and Twenty-fourth street. It is center of hole in copper bolt set horizontally in said wall 5 inches west of the southeast corner of the same and 11 inches above the sidewalk. Elevation, 30.818 feet.

C. B. M. No. 37 is on stone foundation wall of house No. 2405 Seventh avenue. It is center of hole in copper bolt set horizontally in said wall, 7 feet east of the southwest corner of said house, and it is 2 feet above the ground. It is also 8 feet north and 40 feet east of the northeast corner of Twenty-fourth street and Seventh avenue. Elevation, 46.-441 feet.

C. B. M. No. 38 is a cross cut on top of a large boulder near the northwest corner of Second street and Thirteenth avenue. Elevation, 18.973 feet.

C. B. M. No. 39 is top of a railroad spike driven into the east side of a black oak tree, about 77 feet to right of station 30 plus 96 of the line of levels on the R. I. & P. R. R. and is 6 inches above the ground. Elevation, 18.263 feet.

C. B. M. No. 40 is top of a railroad spike driven into the root of a white oak tree 14 inches in diameter, about 35 feet to the left of station 20 plus 10 of the Twenty-second street line. Elevation, 73.394 feet.

C. B. M. No. 41 is top of railroad spike driven into the root of a black oak tree 18 inches in diameter, about 45 feet to the right of station 27 plus 60 of the Twenty-second street line and is on the south side of the tree. Elevation, 141.043 feet.

C. B. M. No. 42 is a top of railroad spike driven into the root of a black oak tree 12 inches in diameter. It is on west side of said tree and it is about 45 feet to left of station 34

plus 6 of the Twenty-second street line. Elevation, 164.660 feet.

C. B. M. No. 43 is top of railroad spike driven in the root of Honey Locust about one foot above the ground and on southwest side of the same, and 15 feet to left of station 39 plus 27 of the Twenty-second street line. Elevation, 161.188 feet.

C. B. M. No. 44 is on stone foundation wall of Thos. Davis' house on Twenty-sixth street, 1.8 feet from the ground and .9 of a foot south of the northwest corner of the same. It is center of hole in copper bolt set horizontally in said wall 233 feet north of Seventh avenue. Elevation, 44.230 feet.

C. B. M. No. 45 is on stone foundation wall of house No. 2709 Sixth avenue. It is center of hole in copper bolt set horizontally in said wall four inches east of the southwest corner of the same and three feet above the ground. Said B. M. is about 100 feet east of the northeast corner of Twenty-seventh street and Sixth avenue. Elevation, 39.496 feet.

C. B. M. No. 46 is on stone foundation wall of house No. 2638 Seventh avenue. It is center of hole in copper bolt set horizontally in said wall $14\frac{1}{2}$ feet west of the northeast corner of the same, 3 inches above the ground. Said B. M. is about 33 feet west of the southwest corner of Twenty-seventh street and Seventh avenue. Elevation, 47.951 feet.

C. B. M. No. 47 is on south wall of Sixth ward school house. It is center of hole in copper bolt set horizontally in said wall 12 inches east of the southwest corner of the same and $5\frac{1}{2}$ feet above the ground. Elevation, 64.790 feet.

C. B. M. No. 48 is on south side of stone foundation of the front part of Mr. Downes' residence. It is center of hole in copper bolt set horizontally in said wall, it is .9 of a foot north of the southeast corner of the same, and 1.4 feet above the ground. It is also about 120 feet north of the northwest corner of Thirtieth street and Seventh avenue. Elevation, 88.021 feet.

C. B. M. No. 49 is on the north wall of a brick house at the southeast corner of Twenty-third street and Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 1.8 feet east of the northwest corner of the same and 2 feet above the ground. Elevation, 39.484 feet.

C. B. M. No. 50 is on north wall of stone foundation of last buttress of a church on the southwest corner of Nineteenth street and Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 1.9 feet above the ground. Elevation, 25.861 feet.

C. B. M. No. 51 is on the stone foundation wall of a dwelling house at the southeast corner of Seventeenth street and Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 3 inches south of the northwest corner of the same, and 18 inches above the ground. Elevation, 23.208 feet.

C. B. M. No. 52 is on the north wall of stone foundation of house No. 1412 Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 4 inches east of the northwest corner of the same and 5 inches above the ground. Said B. M. is about 113 feet east of Fourteenth street. Elevation, 22.402 feet.

C. B. M. No. 53 is on north wall of stone foundation of building at the southwest corner of Twelfth street and Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 5 inches south of the northeast corner of the same and 6 inches above the sidewalk. Elevation, 17.437 feet.

C. B. M. No. 54 is on north wall of stone foundation of north L of house No. 605 Tenth street. It is center of hole in copper bolt set horizontally in said wall 8 inches east of the northwest corner of the same and 12 inches above the ground. Said B. M. is about 40 feet south and about 36 feet east of the southeast corner of Tenth street and Sixth avenue. Elevation, 16.486 feet.

C. B. M. No. 55 is on stone foundation wall of a dwelling

house at the southeast corner of Eighth street and Sixth avenue. It is center of hole in copper bolt set horizontally in said wall 12 inches south of the northwest corner of the same and 15 inches above ground. Elevation, 15.492 feet.

C. B. M. No. 56 is on stone foundation wall of dwelling house at the northwest corner of Fifteenth street and Fifth and a Half avenue. It is center of hole in copper bolt set horizontally in said wall 10 inches east of the southwest corner of the same, and 22 inches above the ground. Elevation, 16.040 feet.

C. B. M. No. 57 is on the north wall of a church at the southwest corner of Twenty-third street and Seventh avenue. It is center of hole in copper bolt set horizontally in said wall 32 inches west of the northeast corner of the same and 8 inches above the ground. Elevation, 44.847 feet.

C. B. M. No. 58 is on the east wall of stone foundation under the south L of D. T. Robinson's house 3 inches north of the southeast corner of the same. It is center of hole in copper bolt set horizontally in said wall 26 inches above the ground. Said B. M. is about 110 feet north and about 60 feet west of the northwest corner of Twentieth street and Seventh avenue. Elevation, 36.736 feet.

C. B. M. No. 59 is on north wall of stone foundation of dwelling house at the southeast corner of Nineteenth street and Seventh avenue. It is center of hole in copper bolt set horizontally in said wall 8 inches east of the northwest corner of the same and 8 inches above the ground. Elevation, 35.673 feet.

C. B. M. No. 60 is on brick foundation wall of building on the southeast corner of Fourteenth and a Half street and Seventh avenue. It is center of hole in copper bolt set horizontally in said wall, 27 inches east of the northwest corner of the same and 11 inches above the sidewalk. Elevation, 23.299 feet.

C. B. M. No. 61 is on the north wall of stone foundation wall under front part of house at the northeast corner of

Sixth street and Ninth and a Half avenue. It is center of hole in copper bolt set horizontally in said wall 7 inches east of the northwest corner of the same and two feet above the ground. Said B. M. is about 43 feet north of Ninth and a Half avenue. Elevation, 19.936 feet.

C. B. M. No. 62 is on north wall of stone foundation of house No. 716 Third street. It is center of hole in copper bolt set horizontally in said wall, 2.8 feet above the ground, and 2.8 feet south of the northeast corner of the same. Said B. M. is about 180 feet south of the southwest corner of Third street and Ninth avenue. Elevation, 14.178 feet.

C. B. M. No. 63 is on north wall of stone foundation of house No. 1416 Fifth avenue. It is center of hole in copper bolt set horizontally in said wall, 12 inches above the ground and 3 inches east of the northwest corner of the same. Said B. M. is about 175 feet east of the southeast corner of Fourteenth street and Fifth avenue. Elevation, 15.711 feet.

C. B. M. No. 64 is on north wall of stone foundation of house No. 1714 Fifth avenue. It is center of hole in copper bolt set horizontally in said wall, 12 inches above the ground and 10 inches west of the northeast corner of the same. Said B. M. is about 150 feet west of the southwest corner of Eighteenth street and Fifth avenue. Elevation, 19.138 feet.

C. B. M. No. 65 is on south wall of brick barn. It is center of hole in copper bolt set horizontally in said wall, 40 inches above the stone foundation of said barn and 7 feet east of the southwest corner of the same. Said B. M. is about 122 feet west of the northwest corner of Nineteenth street and Eighth avenue. Elevation, 39.069 feet.

C. B. M. No. 66 is on the south wall of stone foundation of house No. 740 Fourteenth street. It is center of hole in copper bolt set horizontally in said wall, 22 inches above the ground, and 8 inches east of the southwest corner of the same. Said B. M. is about 19 feet west of the northwest corner of Fourteenth street and Eighth avenue. Elevation, 23.598 feet.

C. B. M. No. 67 is on south wall of dwelling house at the northwest corner of Eleventh street and Eighth avenue. It is center of hole in copper bolt set horizontally in wall 11 inches above the ground and 35 inches west of the southeast corner of the same. Elevation, 18.656 feet.

C. B. M. No. 68 is on the south wall of stone foundation of dwelling house near the northeast corner of Twentieth street and Ninth avenue. It is center of hole in copper bolt set horizontally in said wall 3 inches above the ground and 3 inches east of the southwest corner of the same. Said B. M. is about 40 feet north of Ninth avenue. Elevation, 40.258 feet.

C. B. M. No. 69 is on south wall of stone foundation of dwelling house at the northwest corner of Seventeenth street and Ninth avenue. It is the center of hole in copper bolt set horizontally in said wall 13 inches above the ground and 5 inches east of the southwest corner of the same. Elevation, 39.088 feet.

C. B. M. No. 70 is U. S. P. B. M. No. 41 is on the foundation of the Atlantic Brewery near C., R. I. & P. R. R. depot at Rock Island, Ill. It is center of hole in copper bolt set horizontally in upper foundation stone on the north side at the northeast corner. Marked U. S. P. B. M. Elevation, 39.024 feet.

Iron stake 206 is gas pipe at northwest corner of Thirtieth street and Seventh avenue. Elevation 45.828 feet.

Iron stake 207 is 15 feet south of northeast corner of Thirtieth street and Sixteenth avenue. Elevation 157.622 feet.

Iron stake 208 is gas pipe in southeast corner of Thirtieth street and Fifteenth avenue. Elevation, 159.070 feet.

Iron stake 209 is 6 inches west of northeast corner of Thirtieth street and Fourteenth avenue. Elevation, 155.665 feet.

Iron stake 210 is 6 inches north of southwest corner of

Thirtieth street and Thirteenth avenue. Elevation, 153.843 feet.

Iron stake 211 is 25 feet south of northwest corner of Thirtieth street and Twelfth avenue. Elevation, 158.455 feet.

Iron stake 212 is 6 inches east of northwest corner of Thirtieth street and Eleventh and a Half avenue. Elevation, 152.692 feet.

Iron stake 213 is 6 inches west of northeast corner of Thirtieth street and Tenth avenue. Elevation, 162.114 feet.

Iron stake 214 is 6 inches west of fence and left of station 20 of Thirtieth street line. Elevation, 162.170 feet.

Iron stake 215 is 6 inches west of fence and left of station 18 of Thirtieth street line. Elevation, 152.136 feet.

Iron stake 216 is .2 feet east of west line of Thirtieth street and to right of station 15 plus 81. Elevation, 138.312 feet.

Iron stake 217 is on west line of Thirtieth street and to right of station 13 plus 91. Elevation 122.792 feet.

Iron stake 218 is 6 inches west of northeast corner of Twenty-second street and Eighteenth avenue. Elevation, 157.854 feet.

Iron stake 219 is 6 inches south of northeast corner of Twenty-second street and Ninth avenue. Elevation, 43.530 feet.

Iron stake 220 is 3 inches east of southwest corner of Twenty-third street and Second avenue. Elevation, 18.712 feet.

Iron stake 221 is 6 inches east of southwest corner of Twenty-second street and Second avenue. Elevation, 18.389 feet.

Iron stake 222 is 6 inches north of southeast corner of Twenty-first street and Second avenue. Elevation, 17.821 feet.

Iron stake 223 is at the southwest corner of Twentieth street and Second avenue. Elevation, 18.846 feet.

Iron stake 225 is 14 feet west of the southeast corner of Eighteenth street and Second avenue. Elevation, 20.260 feet.

Iron stake 226 is at southwest corner of Seventeenth street and Second avenue. Elevation, 22.076 feet.

Iron stake 227 is 2 inches south of the northwest corner of Sixteenth street and Second avenue. Elevation, 24.474 feet.

Iron stake 228 is 6 inches west of southeast corner of Fifteenth street and Second avenue. Elevation, 21.577 feet.

Iron stake 229 is at southwest corner of Fourteenth street and Second avenue. Elevation, 18.497 feet.

Iron stake 230 is 6 inches east of southwest corner of Thirteenth street and Second avenue. Elevation, 19.836 feet.

Iron stake 231 is 6 inches west of northeast corner of Twelfth street and Second avenue. Elevation, 20.000 feet.

Iron stake 232 is 6 inches west of northeast corner of Eleventh street and Second avenue. Elevation, 21.663 feet.

Iron stake 233 is 6 inches north of southeast corner of Tenth street and Second avenue. Elevation, 25.712 feet.

Iron stake 234 is 6 inches south of northwest corner of Ninth street and Second avenue. Elevation, 26.060 feet.

Iron stake 235 is 6 inches north of northeast corner of Eighth street and Second avenue. Elevation, 25.877 feet.

Iron stake 236 is 6 inches south of northeast corner of Seventh street and Second avenue. Elevation, 19.512 feet.

Iron stake 237 is 6 inches west of southeast corner of Sixth street and Second avenue. Elevation, 19.340 feet.

Iron stake 238 is 6 inches east of southwest corner of Fifth street and Second avenue. Elevation, 16.490 feet.

Iron stake 239 is 6 inches west of southeast corner of Fourth street and Second avenue. Elevation, 15.443 feet.

Iron stake 245 is 3 inches east of Southwest corner of Twenty-fourth street and Third avenue. Elevation, 24.390 feet.

Iron stake 246 is 6 inches north of southwest corner of Twenty-third street and Third avenue. Elevation, 20.776 feet.

Iron stake 247 is 6 inches west of northeast corner of Twenty-second street and Third avenue. Elevation, 19.444 feet.

Iron stake 248 is 6 inches west of northeast corner of Twenty-first street and Third avenue. Elevation, 18.653 feet.

Iron stake 249 is at northwest corner of Twentieth street and Third avenue. Elevation, 18.011 feet.

Iron stake 250 is at northeast corner of Nineteenth street and Third avenue. Elevation, 17.614 feet.

Iron stake 251 is 6 inches west of southeast corner of Eighteenth street and Third avenue. Elevation 18.217 feet.

Iron stake 252 is 6 inches west and 4 inches south of southeast corner of Seventeenth street and Third avenue. Elevation, 19.039 feet.

Iron stake 253 is 6 inches west of northeast corner of Sixteenth street and Third avenue. Elevation, 21.371 feet.

Iron stake 254 is at northwest corner of Fifteenth street and Third avenue. Elevation, 22.721 feet.

Iron stake 255 is 6 inches north of southwest corner of Fourteenth street and Third avenue. Elevation, 18.935 feet.

Iron stake 256 is 6 inches west of northeast corner of Thirteenth street and Third avenue. Elevation, 19.436 feet.

Iron stake 257 is 6 inches north of southwest corner of Eleventh street and Third avenue. Elevation, 20.880 feet.

Iron stake 258 is 6 inches south of northwest corner of Tenth street and Third avenue. Elevation, 21.914 feet.

Iron stake 259 is 6 inches south of northwest corner of Ninth street and Third avenue. Elevation 24.930 feet.

Iron stake 260 is 6 inches east of southwest corner of Eighth street and Third avenue. Elevation, 25.964 feet.

Iron stake 261 is 6 inches east of southwest corner of Seventh street and Third avenue. Elevation, 26.782 feet.

Iron stake 262 is 6 inches east of northwest corner of Sixth street and Third avenue. Elevation, 26.458 feet.

Iron stake 263 is 6 inches north of southwest corner of Fifth street and Third avenue. Elevation, 24.096 feet.

Iron stake 264 is 6 inches west of southeast corner of Fourth street and Third avenue. Elevation, 19.153 feet.

Iron stake 265 is 6 inches east of southwest corner of Third street and Third avenue. Elevation, 14.137 feet.

Iron stake 266 is 14 feet east of southeast corner of Second street and Third avenue. Elevation, 15.458 feet.

Iron stake 271 is 6 inches east of northwest corner of Twenty-fourth street and Fourth avenue. Elevation, 25.495 feet.

Iron stake 272 is 16 inches west of southeast corner of Twenty-third street and Fourth avenue. Elevation, 25.747 feet.

Iron stake 273 is 6 inches east of southwest corner of Twenty-first street and Fourth avenue. Elevation, 23.272 feet.

Iron stake 274 is 3 inches north of southeast corner of Twentieth street and Fourth avenue. Elevation, 21.420 feet.

Iron stake 275 is 6 inches west of southeast corner of Nineteenth street and Fourth avenue. Elevation, 17.966 feet.

Iron stake 276 is 6 inches east of southwest corner of Eighteenth street and Fourth avenue. Elevation, 17.063 feet.

Iron stake 277 is 6 inches west of southeast corner of Seventeenth street and Fourth avenue. Elevation, 15.728 feet.

Iron stake 278 is 6 inches west of northeast corner of Sixteenth street and Fourth avenue. Elevation, 16.970 feet.

Iron stake 279 is 6 inches west of southeast corner of Fifteenth street and Fourth avenue. Elevation, 16.610 feet.

Iron stake 280 is at southwest corner of Fourteenth street and Fourth avenue. Elevation, 17.260 feet.

Iron stake 281 is 6 inches east of northwest corner of Thirteenth street and Fourth avenue. Elevation, 16.673 feet.

Iron stake 282 is 6 inches west of northeast corner of Twelfth street and Fourth avenue. Elevation, 18.760 feet.

Iron stake 283 is 6 inches east of southwest corner of Eleventh street and Fourth avenue. Elevation, 18.785 feet.

Iron stake 284 is 6 inches west of southeast corner of Tenth street and Fourth avenue. Elevation, 19.691 feet.

Iron stake 285 is 6 inches east of northwest corner of Ninth street and Fourth avenue. Elevation, 20.920 feet.

Iron stake 286 is 6 inches south of northwest corner of Eighth street and Fourth avenue. Elevation, 22.327 feet.

Iron stake is 6 inches south of northwest corner of Seventh street and Fourth avenue. Elevation, 24.018 feet.

Iron stake 288 is 6 inches south of northwest corner of Sixth street and Fourth avenue. Elevation, 26.766 feet.

Iron stake 289 is 6 inches south of northwest corner of Fifth street and Fourth avenue. Elevation, 28.303 feet.

Iron stake 290 is 6 inches south of northwest corner of Fourth street and Fourth avenue. Elevation, 28.531 feet.

Iron stake 291 is 6 inches south of northwest corner of Third street and Fourth avenue. Elevation, 26.941 feet.

Iron stake 292 is 6 inches south of northwest corner of Second street and Fourth avenue. Elevation, 24.100 feet.

Iron stake 293 is 6 inches south of northeast corner of Twenty-fifth street and Fifth avenue. Elevation 29.673 feet.

Iron stake 294 is 6 inches north of southeast corner of Twenty-fourth street and Fifth avenue. Elevation 29.685 feet.

Iron stake 295 is 6 inches south of northwest corner of Twenty-third street and Fifth avenue. Elevation, 27.564 feet.

Iron stake 296 is 6 inches south of northwest corner of Twenty-second street and Fifth avenue. Elevation, 26.230 feet.

Iron stake 297 is 6 inches south of northwest corner of Twenty-first street and Fifth avenue. Elevation 24.838 feet.

Iron stake 300 is 3 feet south of northwest corner of Eighteenth street and Fifth avenue. Elevation, 16.821 feet.

Iron stake 301 is 6 inches south of northwest corner of Seventeenth street and Fifth avenue. Elevation, 15.889 feet.

Iron stake 302 is 6 inches east of northwest corner of Sixteenth street and Fifth avenue. Elevation, 15.698 feet.

Iron stake 303 is 6 inches south of northwest corner of Fifteenth street and Fifth avenue. Elevation, 15.307 feet.

Iron stake 304 is 4 feet south of northwest corner of Fourteenth street and Fifth avenue. Elevation, 14.228 feet.

Iron stake 305 is 4 inches south of northeast corner of Thirteenth street and Fifth avenue. Elevation, 12.848 feet.

Iron stake 306 is 6 inches south of northwest corner of Twelfth street and Fifth avenue. Elevation, 13.665 feet.

Iron stake 307 is 6 inches south of northwest corner of Eleventh street and Fifth avenue. Elevation, 14.386 feet.

Iron stake 308 is 6 inches south of northwest corner of Tenth street and Fifth avenue. Elevation, 13.077 feet.

Iron stake 309 is 6 inches south of northwest corner of Ninth street and Fifth avenue. Elevation, 15.636 feet.

Iron stake 310 is 6 inches south of northwest corner of Eighth street and Fifth avenue. Elevation, 13.774 feet.

Iron stake 311 is 6 inches south of northwest corner of Seventh street and Fifth avenue. Elevation, 11.681 feet.

Iron stake 312 is 6 inches south of northwest corner of Sixth street and Fifth avenue. Elevation, 12.940 feet.

Iron stake 313 is 6 inches south of northwest corner of Fifth street and Fifth avenue. Elevation, 14.080 feet.

Iron stake 314 is 6 inches south of northwest corner of Fourth street and Fifth avenue. Elevation, 15.595 feet.

Iron stake 315 is 6 inches south of northwest corner of Third street and Fifth avenue. Elevation, 15.537 feet.

Iron stake 316 is 6 inches south of northwest corner of Second street and Fifth avenue. Elevation, 16.756 feet.

Iron stake 321 is 6 inches east of southwest corner of Twenty-sixth street and Sixth avenue. Elevation, 40.767 feet.

Iron stake 322 is 5 inches east of southwest corner of Twenty-fifth street and Sixth avenue. Elevation, 39.565 feet.

Iron stake 323 is 6 inches south of northwest corner of Twenty-fourth street and Sixth avenue. Elevation, 37.780 feet.

Iron stake 324 is 5 inches south of northwest corner of Twenty-third street and Sixth avenue. Elevation, 34.115 feet.

Iron stake 325 is 6 inches south of northeast corner of Twenty-second street and Sixth avenue. Elevation, 30.818 feet.

Iron stake 326 is 7 inches west of west side of north stone steps to High school and 7 inches north of foundation wall, corner Twenty-first street and Sixth avenue. Elevation, 32.337 feet.

Iron stake 327 is 6 inches south of northeast corner of Twentieth street and Sixth avenue. Elevation, 26.274 feet.

Iron stake 329 is at northwest corner of Sixth avenue running west and Nineteenth street. Elevation, 22.987 feet.

Iron stake 330 is 6 inches north of southeast corner of Eighteenth street and Sixth avenue. Elevation, 20.634 feet.

Iron stake 331 is 6 inches south of northeast corner of Seventeenth street and Sixth avenue. Elevation, 18.801 feet.

Iron stake 332 is 6 inches south of northwest corner of Sixteenth street and Sixth avenue. Elevation, 20.050 feet.

Iron stake 333 is 6 inches north of southeast corner of Fifteenth street and Sixth avenue. Elevation, 19.595 feet.

Iron stake 334 is 6 inches south of northeast corner of Fourteenth street and Sixth avenue. Elevation, 17.942 feet.

Iron stake 335 is 6 inches south of northeast corner of Thirteenth street and Sixth avenue. Elevation, 15.210 feet.

Iron stake 336 is 6 inches west of southeast corner of Twelfth street and Sixth avenue. Elevation, 15.193 feet.

Iron stake 337 is 6 inches north of southwest corner of Eleventh street and Sixth avenue. Elevation, 11.925 feet.

Iron stake 338 is 6 inches north of southeast corner of Tenth street and Sixth avenue. Elevation, 12.443 feet.

Iron stake 339 is 6 inches south of northwest corner of Ninth street and Sixth avenue. Elevation, 16.081 feet.

Iron stake 340 is 6 inches north of southeast corner of Eighth street and Sixth avenue. Elevation, 13.055 feet.

Iron stake 341 is 6 inches north of southeast corner of Seventh street and Sixth avenue. Elevation, 11.828 feet.

Iron stake 342 is 6 inches south of northwest corner of Sixth street and Sixth avenue. Elevation, 10.636 feet.

Iron stake 343 is on north side of Sixth avenue and about the center of the street. Elevation, 10.617 feet.

Iron stake 349 is 12 inches east of northwest corner of Thirtieth street and Seventh avenue. Elevation, 90.331 feet.

Iron stake 351 is 6 inches east of southwest corner of Twenty-eighth street and Seventh avenue. Elevation, 50.166 feet.

Iron stake 352 is 3 inches north and 6 inches west of northeast corner of Twenty-seventh street and Seventh avenue. Elevation, 43.389. feet.

Iron stake 353 is 6 inches east of northwest corner of Twenty-sixth street and Seventh avenue. Elevation, 44.402 feet.

Iron stake 354 is 6 inches south of northwest corner of Twenty-fifth street and Seventh avenue. Elevation, 44.166 feet.

Iron stake 355 is 6 inches east of northwest corner of Twenty-fourth street and Seventh avenue. Elevation, 42.-610 feet.

Iron stake 356 is 6 inches south of northwest corner of Twenty-third street and Seventh avenue. Elevation, 41.289 feet.

Iron stake 357 is 15 inches south and 15 inches west of southwest corner of Twenty-second street and Seventh avenue. Elevation, 37.935 feet.

Iron stake 358 is 6 inches north of southeast corner of Twenty-first street and seventh avenue. Elevation, 35.930 feet.

Iron stake 359 is at northwest corner of Twentieth street and Seventh avenue. Elevation, 32.203 feet.

Iron stake 361 is 6 inches east of northwest corner of

Nineteenth street and Seventh avenue. Elevation, 30.734 feet.

Iron stake 362 is 6 inches east of northwest corner of Eighteenth street and Seventh avenue. Elevation, 26.633 feet.

Iron stake 363 is 6 inches east of northwest corner of Seventeenth street and Seventh avenue. Elevation, 21.300 feet.

Iron stake 364 is 6 inches east of northwest corner of Fifteenth street and Seventh avenue. Elevation, 20.664 feet.

Iron stake 365 is 6 inches east of northwest corner of Fourteenth street and Seventh avenue. Elevation, 19.632 feet.

Iron stake 366 is 6 inches north of southwest corner of Fourteenth street and Seventh avenue. Elevation, 19.590 feet.

Iron stake 367 is 6 inches north of southwest corner of Thirteenth street and Seventh avenue. Elevation, 18.921 feet.

Iron stake 368 is 6 inches west of northeast corner of Twelfth street and Seventh avenue. Elevation, 17.406 feet.

Iron stake 369 is 6 inches north of southwest corner of Eleventh street and Seventh avenue. Elevation, 17.171 feet.

Iron stake 370 is 6 inches north of southeast corner of Tenth street and Seventh avenue. Elevation, 18.815 feet.

Iron stake 371 is 6 inches south of northwest corner of Ninth street and Seventh avenue. Elevation, 16.633 feet.

Iron stake 372 is 6 inches south of northwest corner of Eighth street and Seventh avenue. Elevation, 14.695 feet.

Iron stake 373 is 6 inches south of northwest corner of Seventh street and Seventh avenue. Elevation, 14.547 feet.

Iron stake 374 is 6 inches south of northwest corner of Sixth street and Seventh avenue. Elevation, 13.300 feet.

Iron stake 375 is 6 inches north of southwest corner of Fifth street and Ninth avenue. Elevation, 12.530 feet.

Iron stake 376 is 6 inches north of southwest corner of Fourth street and Ninth avenue. Elevation, 11.541 feet.

Iron stake 377 is 6 inches north of southwest corner of Third street and Ninth avenue. Elevation, 10.678 feet.

Iron stake 378 is at southwest corner of Ninth avenue and Second street. Elevation, 12.872 feet.

Iron stake 379 is 6 inches east of southwest corner of Twenty-sixth street and Fifth and a Half avenue. Elevation, 34.582 feet.

Iron stake 380 is 6 inches east of southwest corner of Twenty-fifth street and Fifth and a Half avenue. Elevation, 35.302 feet.

Iron stake 381 is center of Twenty-fourth street and Fifth and a Half avenue. Elevation, 33.700 feet.

Iron stake 382 is 6 inches south of northwest corner of Sixteenth street and Fifth and a Half avenue. Elevation, 17.235 feet.

Iron stake 383 is 6 inches south of northwest corner of Fifteenth street and Fifth and a Half avenue. Elevation, 15.308 feet.

Iron stake 384 is at southeast corner of Fourteenth street and Fifth and a Half avenue. Elevation, 13.092 feet.

Iron stake 385 is 6 inches north of southeast corner of Thirteenth street and Fifth and a Half avenue. Elevation, 13.027 feet.

Iron stake 386 is 6 inches south and 2 inches west of northwest corner of Twenty-first street and Eighth avenue. Elevation, 39.102 feet.

Iron stake 387 is 6 inches south of northwest corner of Twentieth street and Eighth avenue. Elevation 35.515 feet.

Iron stake 388 is at northeast corner of Nineteenth street and Eighth avenue. Elevation, 34.502 feet.

Iron stake 389 is 6 inches south of northwest corner of Eighteenth street and Eighth avenue. Elevation, 34.151 feet.

Iron stake 390 is 6 inches north of southeast corner of Seventeenth street and Eighth avenue. Elevation, 31.799 feet.

Iron stake 391 is 6 inches south of northwest corner of Fourteenth and a Half street and Eighth avenue. Elevation, 28.315 feet.

Iron stake 392 is 6 inches west of southeast corner of Fourteenth street and Eighth avenue. Elevation, 25.047 feet.

Iron stake 393 is 6 inches north of southeast corner of Thirteenth street and Eighth avenue. Elevation, 18.004 feet.

Iron stake 394 is 6 inches west of northeast corner of Twelfth street and Eighth avenue. Elevation, 18.103 feet.

Iron stake 395 is 6 inches south of northwest corner of Eleventh street and Eighth avenue. Elevation, 15.411 feet.

Iron stake 396 is 6 inches west of southeast corner of Tenth street and Eighth avenue. Elevation, 17.521 feet.

Iron stake 397 is 6 inches south of northeast corner of Ninth street and Eighth avenue. Elevation, 21.870 feet.

Iron stake 398 is 6 inches south of northwest corner of Ninth street and Ninth and a Half avenue. Elevation, 22.997 feet.

Iron stake 399 is 6 inches south of northeast corner of Eighth street and Ninth and a Half avenue. Elevation, 22.653 feet.

Iron stake 400 is 6 inches south of northeast corner of Seventh street and Ninth and a Half avenue. Elevation, 19.201 feet.

Iron stake 401 is 6 inches south of northeast corner of

Sixth street and Ninth and a Half avenue. Elevation, 17.-633 feet.

Iron stake 402 is 6 inches east of northwest corner of Fifth street and Eleventh avenue. Elevation, 15.942 feet.

Iron stake 403 is 6 inches south of northwest corner of Twenty-first street and Ninth avenue. Elevation, 38.576 feet.

Iron stake 404 is 6 inches south of northwest corner of Twentieth street and Ninth avenue. Elevation, 38.448 feet.

Iron stake 405 is 6 inches south of northwest corner of Nineteenth street and Ninth avenue. Elevation, 37.913 feet.

Iron stake 406 is 6 inches south of northeast corner of Seventeenth street and Ninth avenue. Elevation, 36.367 feet.

Iron stake 407 is 6 inches south of northwest corner of Fourteenth and a Half street and Ninth avenue. Elevation, 35.391 feet.

Iron stake 408 is 6 inches south of northwest corner of Fourteenth street and Ninth avenue. Elevation, 35.028 feet.

Iron stake 409 is 6 inches west of northeast corner of Twelfth street and Ninth avenue. Elevation, 27.240 feet.

Iron stake 410 is 12 inches north of southwest corner of Thirty-eighth street and Fifth avenue. Elevation, 33.273 feet.

Iron stake 411 is 12 inches north of southeast corner of Thirty-fifth street and Fifth avenue. Elevation, 32.542 feet.

Iron stake 412 is 6 inches north of southwest corner of Thirty-first street and Fifth avenue. Elevation, 33.640 feet.

Iron stake 413 is at southwest corner of Thirtieth street and Fifth avenue. Elevation, 37.811 feet.

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS, }
City of Rock Island, } ss.
County of Rock Island, }

CITY CLERK'S OFFICE.

I, M. T. Rudgren, City Clerk of the City of Rock Island, do hereby certify that the foregoing "Revised Ordinances" of the City of Rock Island, Illinois, published by authority of the City Council, and revised and arranged by J. F. Witter, and printed by Driffill Printing Company, were duly passed by the City Council of the City of Rock Island, approved by the Mayor and published according to law as of the dates therein mentioned, both as to the original ordinances and to those parts amendatory, the same as noted therein. That the aforesaid ordinances, both original and amendatory, are true and perfect copies of the original ordinances, as passed and approved, and now of record and on file in my office as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Rock Island, this 1st day of September, A. D. 1910.

M. T. RUDGREN,
City Clerk, City of Rock Island.
(Corporate Seal of City of Rock Island, Ill.)

INDEX

Actions:—

For violating ordinance, how brought.....	28
Conviction for one violation, no bar to another at the same time	28
First process a summons	28
When warrant may issue	28
Fine, imprisonment and labor.....	28
See fines and penalties	174

Additions:—

See annexation.	
State laws relating to.....	50
Ordinance annexing territory	398

Advertising:—

Structure near parks	273
----------------------------	-----

Aldermen:—

Number of in cities	7
Term of office, vacancy, qualifications.....	7
Not to be interested in any contract with city.....	32-37
Not eligible if he has been convicted of bribery, etc....	8
Not eligible to office where salary is payable out of city treasury, or any office under city government.....	8
Three may call a special meeting of council.....	9-157
Conservators of the peace	34
Compensation of	35

Amusements:—

.....	131
-------	-----

Animals:—

Power to punish cruelty to.....	23
Power to regulate and restrain and running at large.....	24
Ordinance for regulating and restraining.....	135
Pounds to be provided, control of.....	136
Animals found at large to be impounded.....	136
Procedure in such case	137
Fees of pound-keeper, neglect of duty.....	139
Hindering officer or letting loose impounded animal.....	139
Improperly impounding animal.....	140
Indecent exhibition of animals	236
Cruelty to, forbidden	338
Not to be left unhitched, or to obstruct streets.....	249
Fast driving forbidden	240

Animals—Continued.

Not to be hitched to or near trees, etc.....	248
Dead not to be left unburied in city limits.....	258
Keeping or slaughtering offensively.....	259
Not allowed in public squares or parks.....	272
Not allowed on sidewalks	341

Annexations:—

Laws relating to annexation of territory.....	50
Ordinance to annex certain territory to the city.....	398

Appropriations:—

Power to make	15
Annual, how made	40
Emergency, borrowing money	41
Objects to be specified	41

Areas:—

Power to regulate construction of	21
Not to be used without permit.....	337

Arrest:—

Alderman may make, when.....	34
Power to make without warrant	34-238-304
Penalty for resisting or preventing.....	307

Assault and Battery:—

Penalty for	242
-------------------	-----

Ashes:—

Power to regulate	17
When a nuisance	210

Assemblies:—

Power to suppress	23
Disturbing	245

Attorney:—

Election of, duties of.....	31-153
-----------------------------	--------

Auctioneer:—

Power to tax, license and regulate.....	25
Ordinance for licensing	140
Fraudulent sales by, forbidden	141

Automobile:—

Speed, light	359-361-241
--------------------	-------------

Automobile Cabmen:—

.....	195
-------	-----

Automobile Speeding:—

.....	241
-------	-----

Awnings:—

Porches, signs, etc., regulates.....	340
--------------------------------------	-----

Avenues:—

See "Streets."

Bagtelle:—

Power to regulate and license..... 20

Ordinance for licensing133

Ball Alleys:—

Power to regulate and to license..... 20

Ordinance for licensing133

Banners:—

Power to regulate, use of 17

Bathing:—

In river at improper hours prohibited.....236

Bawdy Houses:—

Power to suppress 20

Ordinance prohibiting236

When police may forcibly enter.....238

Beef, Pork, etc.:—

Power to regulate inspection of..... 21

Billiards:—

Power to license, regulate or prohibit..... 20

Ordinance for licensing133

Bill Posting:—

Power to regulate and prevent..... 17

Ordinance for licensing142

Births:—

To be registered212

Blacksmith Shops:—

Power to regulate 24

Blocks and Lots:—

Map to be approved..... 80

Ordinance regulating 223

Board of Health:—

.....196

Board of Local Improvements:—

.....265

Boats:—

Jurisdiction over 19

Landing of, ordinance regulating.....217

Bonds:—

Power of City to issue 16

City officers to give 31

Bonds—Continued.

Of bank on deposit of City funds.....	43
Appeal, City not to give.....	71
Bond indemnifying Weyerhaeuser and Cable	583-585

Books:—

Officer to deliver to successor	32
City official, preservation of.....	32
Of public library	219

Boundaries:—

City defined	2
Power to define fire limits.....	22
Fire limits defined	184
Wards	11-371

Breach of the Peace:—

Penalty for	244
-------------------	-----

Bread:—

Power to regulate weight, quality and sale.....	21
-------------------------------------------------	----

Breweries:—

Power to regulate, location and management.....	24-26
Ordinance licensing	143

Bribery:—

Persons convicted of, not eligible to City office.....	8
City officer not to take, penalty.....	33

Brick:—

Power to regulate sale, size and quality.....	22
-----------------------------------------------	----

Bridges:—

Power to erect, maintain, regulate, etc.....	19-25
Ordinance for the purchase of.....	143
Act legalizing sale of	144
Penalty for fast driving on.....	147
Bridge tender, duties of.....	147
Bridge tender to be appointed.....	263
Salary of bridge tender	318

Brokers:—

Power to regulate, tax and license.....	26
-----------------------------------------	----

Buildings:—

Power to regulate erection and removal.....	22
Public care of	25
Erection of in violation of ordinance.....	186
Covering of in fire limits.....	189
To have iron shutters on doors and windows.....	189
Unfit for habitation to be vacated.....	208
Penalty for injury to public buildings.....	247
Unsafe when a nuisance	258

Burial of the Dead:—

Power to regulate	148
Prohibited in City.....	148
Permit to be obtained	149
Registry of death to be made and certified.....	148

Butchers:—

Premises subject to inspection.....	151
Ordinance for licensing.....	150

Butter: —

Power to regulate sale of	21
---------------------------------	----

Bicycles, etc.:—

Riding on streets,.....	250
-------------------------------	-----

Cabmen:—

Power to regulate and license	20
Ordinance for licensing	193

Canals:—

Power to construct.....	19
-------------------------	----

Carbolic Acid: —

.....	213
-------	-----

Carters:—

Power to regulate and license	20
Ordinance for licensing,.....	168

Cellars:—

Power to regulate	24
Offensive, a nuisance	259
Leaving open door on sidewalk	241

Cemeteries:—

Power to establish and regulate.....	24
--------------------------------------	----

Census:—

Power to take	24
---------------------	----

Certificates:—

Of weights and measures to be given.....	387
Of vaccination to be given.....	201

Chandleries:—

Power to compel owners to cleanse, abate or remove.....	24
Ordinance for licensing and regulating.....	151

City Charter:—

.....	1
-------	---

Cheese:—

Power to regulate sale of.....	21
--------------------------------	----

Chimneys:—

Power to regulate	22
How to be built.....	187
Power to license, tax, regulate, etc.....	20

Circuses:—

Ordinance for licensing	131
-------------------------------	-----

Cisterns:—

Power to regulate and construction of.....	21
--------------------------------------------	----

Cities:—

Officers of, their powers and duties.....	30
Appointment, vacancies, duties and powers.....	31
Compensation of officers.....	35
Finances of	36-40

City Attorney:—

When and how elected	11-30
Duties of	153
Salary of	316

City Bridges:—

To be donated to County.....	82
------------------------------	----

City Clerk:—

Election of	11-30
Election returns to be made to.....	13-14
Notice to persons elected or appointed.....	14
To sign commissions of officers.....	32
To hold no other City office.....	34
Keeper of corporate seal, papers and records.....	34-164
Attend meeting of City Council, certify to transcripts of records and files	34
Keep record of ordinances and proceedings.....	34
Administer oaths	36
Countersign warrants, publish annual report of treasurer.....	43
In adjustment in accounts of treasurer, appeal to finance com- mittee.....	46
May appoint subordinates, responsible for.....	46
May deliver papers to attorney	153
To give notice of special and adjourned meetings.....	157
To provide and furnish dog checks.....	166
To sign and register all licenses.....	221-222
Salary of	316
To give notice of record of street numbers.....	350
Make report, list of City furniture, etc.....	162
Made collector of water rates.....	377
To issue licenses and certificates to weighers and measurers...	385

City Collector:—

Appointment of, duties, bond.....	44-154
-----------------------------------	--------

City Council:—

Mayor to preside over, may elect temporary chairman.....	3
Mayor to make reports and send messages to.....	4
How composed	6
Number of aldermen, term of office, vacancy.....	6-7
Judge of its' own members, determine rules of proceeding.....	8
May punish and expel members.....	8
Sit with open doors, keep journal	9
Quorum, may compel attendance.....	8
When not to reconsider vote of special meeting.....	9
Territorial jurisdiction	9
Special meetings, how called.....	9
Ordinances, approval, veto.....	9
Reconsideration	10
Divide City into wards	11
Designate places of election and give notice.....	13
Call special election when.....	15
General powers of City Council.....	15-30
Control finance, appropriate money, levy taxes.....	15
Issue and revoke licenses, borrow money.....	16
Issue bonds	16
Lay out, etc., streets, plant trees.....	11
Regulate sewers, sidewalks, ashes, garbage.....	16-17-19
Regulate cross-walks, prevent obstructions.....	17
Regulate traffic, speed of horses, locomotives, etc.....	17
Number houses, name streets.....	17
Horse railroads	18
Railroad crossings, fences.....	18
Railroad flagmen	18
Bridges, culverts, water courses, canals, landing places.....	19
Anchorage, wharfage, harbors, waters.....	19
License peddlers, hawkers, pawn brokers, shows and revoke same.....	20
License hackmen, draymen, carters, porters, runners, etc.....	20
Billiards, bagatelle, etc.....	20
Suppress bawdy and disorderly houses, etc.....	20
License, regulate and prohibit liquor traffic.....	20
Regulate markets, sale of meat.....	21
Prevent forestalling and regrating.....	21
Regulate sale, weight and quality of bread.....	21
Regulate inspection weights and measures.....	21
Regulate construction and use of vaults, cisterns, hydrants, sewers.....	21
Regulate places of amusement	21
Prevent intoxication, fighting and disorderly conduct.....	22
Regulate fences and walls	22
Prescribe fire limits, regulate chimneys, gunpowder, etc.....	22

City Council—Continued.

Regulate police, establish jails, suppress riots, prohibit cruelty to animals.....	23
Punish vagrants, declare and abate nuisances.....	23
Appoint board of health, erect hospitals	23
Promote health, establish, regulate and prohibit cemeteries....	24
Regulate and restrain animals	24
Regulate packing houses, breweries, distilleries, etc.....	24
Prohibit any offensive business and regulate same.....	24
Take census	24
Erect and care for public buildings	25
Establish and license ferries and toll bridges.....	25
Authorize construction of mills, etc.....	25
Not to grant streets for railroads except on petition of owners..	25
License and regulate auctioneers, livery stables, public sales, etc.,	25
Regulate playing ball, hoop, kites, etc.....	26
Regulate lumber yards, etc., in fire limits.....	26
Provide printing, stationery, blanks, etc.....	26
Pass all ordinances, etc., necessary for powers granted.....	26
License, regulate or prohibit itinerant merchants.....	26
Style of ordinances, publication, proof of.....	27
Suits for violating ordinances.....	28
May appoint officers and prescribe duties.....	30
Shall pass annual appropriation bill.....	40
Not to be increased except on emergency.....	41
No contract to be made unless appropriation made therefor....	41
May assess taxes for corporate purposes.....	48
Power to provide for water supply.....	78
Maps or plats to be submitted to and approved by.....	80
May not give appeal bond.....	81
Meetings of Council, where and when held.....	157
Special meetings, how called, notice.....	157
Forfeit for non-attendance of members.....	157

City Engineer:—

.....	158
-------	-----

City Officers:—

Tie in election, how determined.....	14
Annul election of.....	10
Special elections of.....	15
Bribery of, penalty for	33
Compensation of	35-315
Officers who are	263
Officers appointed by Council, term, etc.....	263
City and township officers	264

City Officers:—

Oath, bond, commission, duties, emoluments.....	264
-------------------------------------------------	-----

City Officers—Continued.

Property and effects to be delivered to successors.....	265
Past city officers.....	vii-xxix

City Superintendent of Streets:—

City may appoint.....	31
Ordinance for appointment of.....	263
Salary.....	316

City Tools and Implements:—

.....	162
-------	-----

City Treasurer:—

Election of	30
Duties of accounts, how kept.....	42-43
Make monthly statements, deposit of funds kept separate.....	42
Deposit of funds to be regulated by ordinance	43
Annual report to be made and published.....	43
Warrants on, how drawn.....	44
Special assessment funds kept separate.....	44
May be required to perform other duties.....	46
Adjustment of accounts, appeal.....	46
May appoint subordinates	46
Foreign insurance companies to pay tax to.....	46-47

Clairvoyant:—

.....	163
-------	-----

Coal:—

To be sold by weight.....	21-384
---------------------------	--------

Coal Valley Mining Company:—

Ordinance locating depot grounds.....	457
Granting right-of-way on levee.....	461

Commission form of Government:—

.....	83
Appoint board of health, erect hospitals.....	23

Constable:—

May serve process and make arrests.....	29
City Council may regulate number of.....	30-263

Contracts, City:—

.....	156
-------	-----

Contracts:—

Officers not to be interested in.....	32
Not to be made unless appropriation made therefor.....	40

Concealed Weapons:—

Permit, etc.....	246
------------------	-----

Corporate Seal:—

.....	164
-------	-----

Corporation Counsel:—

May be appointed 31

Costs:—

Not to be taxed against City in certain cases.....174

Cross Walks:—

Power to regulate 17

To be kept free from obstructions.....342

Dairymen:—

To have license225

Deaths:—

Registration148

Defaulters:—

Ineligible to office..... 32

Denkmann Square:—

.....272

Depot Grounds:—

Chicago & Rock Island.....411

Rock Island & Peoria.....422-432

Rockford, Rock Island & St. Louis.....455-458

Coal Valley Mining Company.....459

St. Louis, Rock Island & Chicago.....462

Davenport, Rock Island & Northwestern Railway.....491

Chicago, Burlington & Quincy Railroad Company473-476

Distilleries:—

Power to regulate 24

When a nuisance259

Disturbing the Peace:—

Breach of the peace, penalty.....242

Disorderly conduct, unlawful gatherings.....242

Disturbing school or assembly.....245

Processions, music and picnics on Sunday.....245

Disorderly Houses:—

Power to suppress 20

Prohibited236

May be entered forcibly238

Docks:—

Power to regulate 19

Dogs:—

Power to restrain and tax..... 24

Owner to register and get check.....164

Penalty for not paying tax.....166

Dangerous, not to run at large.....166

Dogs—Continued.	
"Dog" defined.....	167
Fees of marshal and police	167
Doors of Public Buildings:—	
.....	81
Driving:—	
Fast, power to regulate.....	17
Fast prohibited	240
Fast, over bridges.....	147
Over fire hose.....	183
Turning to the right on streets	239
Approaching crossings or turning a corner.....	239
Draymen:—	
Power to license.....	20
To have license, name and number to be affixed	168
Charges allowed, penalties.....	168
Druggist:—	
Liquor permit.....	323
Drugs, Free Distribution of.....	213
Drunkenness:—	
Power to prevent.....	22
Prohibited.....	322
Eave Trough:—	
Neglect to provide.....	247
Elections:—	
Annual election for city officers.....	10
For mayor, clerk, treasurer and attorney biennially.....	11
Aldermen.....	11
Place of election, notice, manner of conducting.....	13
Judges and clerks, how appointed, returns to city clerk.....	14
Notice to persons elected.....	14
When no quorum, special election.....	14
Special elections on failure to elect.....	15
Electric Lights:—	
See lights.....	
Engine Houses:—	
Power to erect	22
Regulated	182
Evidences:—	
Proof of ordinances	28
Excavations:—	
In streets forbidden	247-351

Exhibitions:—

Power to license.....	20
To have license.....	131
Indecent prohibited.....	236

Expectorating on Sidewalk:—

.....	215
-------	-----

Expressmen:—

Power to license.....	20
To have license, name and number to be affixed.....	168
Charges allowed, penalties.....	168

Expenditures:—

Limitation of.....	41
--------------------	----

False Alarm of Fire:—

Penalty for.....	243
------------------	-----

False Representation as Police:—

Penalty for.....	308
------------------	-----

Fast Driving:—

Power to prohibit.....	17
Over bridges.....	147
Prohibited.....	240

Fees:—

Poundkeeper	139
Marshal and police, killing dogs, etc.....	167
Scavenger.....	327
Weigher and measurer.....	386

Fences:—

Power to regulate.....	18-22
Injury to, penalty.....	248

Ferries:—

Power to regulate.....	25
To have license.....	170
License, how obtained, fee bond	170
Term of license, removal, revocation.....	171
Steamboat, hours of running, etc.....	171
Fees of carrying.....	172
Penalties	173

Finances:—

Power to control.....	15
Annual appropriations of.....	40
Not to be increased, except.....	41
Objects for, to be specified	41
In emergency City may borrow.....	41
Treasurer to keep money as required by ordinance.....	43

Finances—Continued.

To be kept in organized bank.....	43
Bank to give bond.....	43
Special assessment funds to be kept separate.....	44
Collector to pay to treasurer.....	44

Fines and Penalties:—

Power to impose, limitation.....	28
To be paid to treasurer.....	28
Suits for, how brought.....	174

Fire Arms:—

Use of regulated.....	139
-----------------------	-----

Fire:—

.....	176
False alarm of.....	245
Fire escapes, power to require.....	22

Fire Department:—

Power relating to.....	22
Of what it shall consist.....	177
Officers, appointment, fire committee.....	177
Fire committee, meeting, suspension of officers and employes.....	177
Purchase of supplies.....	177
Firemen, appointment, removal.....	178
Chief and firemen, salary, etc.....	178
Chief, duties.....	179
Assistant chief.....	180
Firemen, duties of.....	181
Employes disobeying orders.....	181
Tearing down buildings, etc.....	181
Limits may be prescribed at fires.....	182
Persons under suspicion may be arrested by chief.....	182
Firemen to wear uniform.....	182
Buildings and apparatus of, use of.....	182
Draymen to assist, penalty.....	183
Driving over hose.....	183
Injury to property.....	184
Fast driving prohibited, penalty.....	184
Violation, penalty.....	184

Fire Limits:—

Power to define.....	184
Defined.....	184
Regulations for building.....	185
Wooden privies and sheds may be erected.....	186
Smoke and ash houses of fire-proof material.....	186
Wooden buildings not to be repaired or removed.....	186
Violations hereof, nuisances, penalty.....	186-187

Fire Limits—Continued.

Combustible material not to be left so as to endanger build- ings.....	187
Chimneys, how to be built.....	187
Stove pipes, how to be adjusted.....	188
Penalty for violation.....	188
Shavings, etc, not to be burned in City.....	188
Gunpowder, how to be kept, penalty.....	188
Covering of building in fire limits.....	189
Shutters on windows and doors in fire limits.....	189

Fireworks:—

.....	189
-------	-----

Fish:—

Power to regulate sale of.....	21
--------------------------------	----

Flags:—

Power to regulate.....	17
------------------------	----

Flagmen:—

Power to require on railroads.....	18
------------------------------------	----

Flour:—

Power to regulate sale of.....	21
--------------------------------	----

Food:—

Unwholesome, prohibited	150
-------------------------------	-----

Forestalling and Regrating:—

Regulate and punish.....	21
Ordinance on forestalling.....	252

Fraudulent Devices:—

Power to suppress.....	20
------------------------	----

Games:—

Power to suppress.....	21
Ordinance to license and regulate.....	133
To be licensed, terms, price, use of, penalty.....	133
Gaming prohibited, penalty.....	236
Gaming houses prohibited, penalty	237
Gambling instruments may be destroyed.....	237
Prohibited on public grounds.....	272

Garbage:—

Power to regulate	17
Not to be thrown out or exposed.....	209

Gas:—

Ordinance for gas works and laying of pipes.....	298
--------------------------------------------------	-----

Gasoline:—

.....	191
-------	-----

Grades:—

(See part iv.)

Grades:—

Power to fix.....	16
Of sidewalks.....	337
Of streets.....	401

Grain:—

To be weighed and certificate given.....	385
------------------------------------------	-----

Gunpowder:—

And other explosives, power to regulate storage of.....	22
How to be kept, penalty.....	188

Hackmen:—

Power to license, tax and regulate.....	20
To have license and vehicle numbered.....	193
Charges allowed, penalty for not conveying.....	193
May demand fare in advance.....	194
Police to enforce ordinance.....	194
To give name and number.....	194
Standing places fixed.....	195
Penalty for violation.....	196

Harbor Master:—

Power to appoint.....	19
-----------------------	----

Hawkers:—

See peddlers.....	20
-------------------	----

Hay:—

Power to regulate weighing of.....	21
To be weighed and certificate given.....	385

Health:—

Power to regulate and promote.....	23
Ordinance relating to.....	156
Board of health.....	197
Commissioner of health appointment, duties, power.....	197
Health officer.....	206
Offenses affecting public health.....	214
General sanitary regulations.....	207
Licences of manufactories and occupations affecting.....	151

Hennepin Canal:—

.....	402
-------	-----

Hides:—

Licensing the dealing in and storage of.....	151
----------------------------------------------	-----

Horses:—

Power to regulate speed of.....	17
Not to be driven immoderately or left unfastened.....	240
Not to be hitched to trees, lamp posts, etc.....	248

Horse Railways:—

See street railroads.....

Hospitals:—

Power to establish..... 24

See health.....

Hydrants:—

Power to regulate and control..... 21

See waterworks.....

Ice:—

Sidewalks to be kept free from.....342

Ice Cream:—

.....215

Imprisonment:—

Mayor may release from 4

Power to impose..... 28

Limitation of..... 28

Who may be imprisoned161

Improvements:—

Board of local improvements.....265

Insurance Companies:—

Foreign, to pay over and report to treasurer..... 46

Ordinance for insurance tax.....217

Intoxication:—

Power to prevent..... 21

Penalty for.....235

Jail:—

City, power to establish and regulate..... 22

Ordinance to establish and regulate.....161

Judgments:—

City may borrow money to pay..... 41

For costs, not to be against the City.....174

Junk Stores:—

Power to license and regulate..... 26

Ordinance regulating.....273

Junk yard.....273

Jurors:—

Inhabitants competent as.....80

Justices of the Peace:—

Jurisdiction of 29

Number of.....264

Justice of the police and police magistrate synonymous.....267

Kites:—

Flying of, power to prohibit, prohibited.....26-240

Labor:—

By prisoners on streets.....29-174

Landings:—

See public landings.....

Landings of boats, etc.....217

Lamp Posts:—

Horses, etc., not to be hitched to.....248

Lard:—

Power to regulate sale and inspection of..... 21

Ordinance relating to rendering lard and lard oil.....151

When a nuisance.....258

Lewd:—

Acts, books, pictures, exhibitions, etc., prohibited.....236

Levee:—

Power to regulate..... 19

Ordinance relating to.....217

Library:—

General law for 54

Ordinance relating to.....219

Marshal to search for and return books.....220

Penalty for injury to books219

License:—

Power to grant.....15-19-24-25

General ordinance regulating.....221

Subject to all ordinances, violation to incur forfeiture.....221

How issued, what to contain.....221

Not transferable without permission, use restricted.....222

Assignment, surrender, new license, bond.....222

May be revoked by mayor or council.....222

Clerk to keep register of fees.....222

Lights:—

Power to provide for..... 16

Gas and gas pipes.....398

Rock Island Electric Light Company.....402

Merchants' Electric Light Company.....403

Light and Light franchises.....404

Gas and electric light rates.....405-408

Limits:—

Of fines and imprisonment 28

Hours of prison labor..... 29

Of expenditures.....40-41

Of contract liabilities..... 41

Liquors:—

Power to license, restrain and prohibit.....	21-57
Sale of, licensed, conditions, bond, license fee, term of.....	319
Sale without license prohibited, penalty.....	321
Intoxicating liquors defined, acts to evade held as unlawful selling.....	321
Wholesale dealer or keeper of public place not to sell without license.....	322
Sale to minor, intoxicated person when forbidden, penalty.....	322
License not to be issued to disreputable person, etc.....	322
License not to be issued to females, except, etc.....	323
Licensed place to be kept open, after midnight, election days	6.....323
License to be posted in place of business, penalty.....	323
Druggists' permit.....	323

Mail Boxes:—

.....	252
-------	-----

Maps:—

To be approved by City Council.....	80
Ordinance relating to.....	223
For numbering houses.....	349
Of grades.....	401
Of out-lots authenticated.....	410

Markets:—

Power to regulate.....	21
------------------------	----

Marshal:—

Council may provide for election of, duties.....	30
Appointment by mayor, oath and bond.....	31
To give notice to pay dog tax.....	164
To be city jailer.....	161
To keep register of prisoners.....	161
Make search for library books.....	220
Report to council.....	304
To keep office.....	307
Policemen to assist.....	307
Salary of.....	316

Mayor:—

Qualifications, vacancy, pro tem.....	3
To preside, casting vote.....	3
May remove officers, keep peace, release prisoners.....	4
General duties, examine records, messages to council.....	4
Call out militia, misconduct, penalty.....	5
Have office hours, call special meetings.....	138
Revoke licenses.....	221-338
Head of police.....	303
May appoint special policemen	303
Salary of.....	315

Mayor's Stenographer:—	
.....	265
Meal:—	
Power to regulate sale of.....	21
Meats:—	
Power to inspect and regulate.....	21
Unwholesome, prohibited.....	214
Measurers:—	
City to provide for.....	21
Menageries:—	
See shows and exhibitions.....	131
Milk and Cream Inspection:—	
.....	224
Milk vendors' license.....	225
Inspection of, regulations.....	227
Minors:—	
Intoxicating liquors not to be sold to.....	322
Not to frequent saloons.....	235
Pawnbrokers not to deal with.....	276-277
Minority Representation:—	
May be submitted.....	12-13
Misdemeanors:—	
Defined.....	235
Drunkenness	236
Minors not to frequent saloons	235
Indecent exposure, indecent books, shows, etc.....	236
Exhibition of stud horse or bull.....	236
House of ill-fame, disorderly house, gaming.....	236
Gaming, penalty.....	236
Gaming house	237
Gambling instruments.....	237
Entry and arrest in disorderly houses, penalty.....	238
Cruelty to animals, use of fire arms and explosives.....	238
Driving on streets, turning to right.....	239
Slackening speed, when.....	239
Leaving horses, etc., unfastened, fast driving.....	240
Obstructing street and sidewalk with teams.....	240
Flying kites, throwing stones, etc., in streets.....	240
Getting on or holding to cars, vehicles, etc.....	240
Coasting on streets prohibited, exception.....	241
Leaving cellar doors or other openings uncovered or unsafe....	241
Scaffolds to be safely and properly built.....	241
Automobile, regulating speed, etc.....	241
Unwholesome meats, provisions, food or drink.....	214

Misdemeanors—Continued.

Bringing into city persons or articles infected with contagious disease.....	214
Bringing or keeping in city animals having contagious disease..	214
Assault, assault and battery	242
Disturbing the peace by loud noises, etc.....	242
Loafing on streets, etc.....	242
Keeping dogs, etc., barking, howling.....	244
Breach of peace, threatening language and conduct.....	244
Disorderly conduct, unlawful gatherings.....	244
Disturbing school or assembly.....	245
Processions, music and picnics on Sunday.....	245
False alarm of fire.....	245
Places of amusement, time of closing.....	245
Carrying concealed weapons.....	246
Permit to carry concealed weapons.....	246
Resistance to officers.....	246
Destruction or injury to public property.....	247
Excavations in streets of sewers.....	247
Neglecting to provide eave troughs.....	247
Injury to trees, fences, lamp posts, etc., and hitching thereto....	248
Depositing rubbish in street.....	248
Littering streets forbidden, penalty.....	249
Riding of bicycles, etc., on sidewalks.....	250
Posting bills, etc., to telegraph poles, etc.....	250
Loose papers on streets, banana peels.....	251
Public squares, injuring trees, shrubs, plucking flowers.....	251

Moving Picture Machines:—

.....	254
-------	-----

Name:—

Corporate name of City.....	1
Of street.....	18-344
To be affixed to licensed vehicles, give name and number.....	193

Notice:—

Of election of officers.....	13
Of impounding	136
Of council meetings.....	157
To register and pay dog tax.....	166
To abate nuisance.....	198-262
To remove boat.....	218
To return books to library.....	220
To revoke license.....	222
To remove rubbish from street.....	248
To number houses.....	351
To remove obstruction to sidewalks.....	340

Nuisances:—

Power to define and abate.....	23
Defined, 1. Under common law and statute.....	258
Defined, 2. Unsafe or dilapidated building.....	258
Defined, 3. Distillery and slaughter house.....	258
Defined, 4. Blood or other offensive matter flowing into the river	259
Defined, 5. Dead animals	259
Defined, 6. Storing green hides, etc.	259
Defined, 7. Offensive trades or manufactures.....	259
Defined, 8. Offensive matter on or from distilleries, etc.....	259
Defined, 9. Filthy cars, buildings, yards, etc.....	260
Defined, 10. Slaughtering animals in City.....	260
Defined, 11. Offensive pig-sties, stables, etc.....	260
Defined, 12. Privies, how to be built and to be disinfected....	260
Defined, 13. Opening privy vaults without permit.....	260
Defined, 14. Depositing filth, offal, etc., in street.....	260
Defined, 15. Conveying offensive matter in day time.....	260
Defined, 16. Constructing steps, cellar doors, etc., in street...	261
Defined, 17. Frames of hatchways, etc., in sidewalks.....	261
Defined, 18. Building steps on sidewalk.....	261
Defined, 19. Excavations in streets, alleys, etc.....	261
Defined, 20. Obstructing street with building material.....	262
Defined, 21. Goods and merchandise on sidewalk.....	262
Marshal to investigate and abate after notice.....	262
Penalty for violation, repetition or continuance.....	263

Numbering:—

Number of licensed vehicles to be attached.....	193
Street numbers of buildings.....	350

Oath:—

City officers to take and file with clerk.....	31
Mayor and clerk may administer.....	36

Obstructions:—

To streets and sidewalks, power to regulate and prevent.....	17
Obstructing streets and sidewalks, penalty.....	340

Officers:—

Mayor may remove, when.....	4
Misconduct of, penalty.....	5
Annual election of in cities.....	10
Powers of in cities.....	30
To subscribe oath and give bond.....	31
Except aldermen to be commissioned.....	32
Delivery books and effects to successor, penalty.....	32
Qualification of, not interested in contracts, etc.....	32
Bribery, penalty.....	33
What, conservators of the peace.....	34

Officers—Continued.

Compensation of, how fixed.....	35
What, have power to administer oaths	36
Ordinance relating to.....	263
Appointed by council, term of office, vacancy, removal.....	263
City and township officers.....	264
Oath, bond, commission, duties, emoluments.....	264
Property and effects to be delivered to successors, penalty....	265

Official Reporter:—

.....	158
-------	-----

Oil Inspector:—

.....	266
-------	-----

Omnibuses:—

Power to license	20
Owner or driver to have license.....	195

Ordinances:—

Yeas and nays to be taken upon passage of.....	9
Vote required in certain cases.....	9
Ordinance to be deposited with clerk.....	9
Approval and veto of.....	9
Failure to return an approval.....	10
Reconsideration passing over veto.....	10
Power to pass, limit of penalty.....	26
Style of ordinances, publication, how proven.....	27
Suits for violating.....	28
Conviction for one, no bar to another at the same time.....	28
City Council may pass for election of officers.....	30
Record of ordinance, copy of evidence.....	34
Construction of ordinances, general rules.....	266
Repealed to remain in force until.....	267
Offense punishable under different ordinances.....	267
Penalty for breach of, where none provided therefor.....	268
Repeal of repealing ordinance not to revive former one.....	268
Rights saved.....	268
Ordinance repealing and revising.....	388
Ordinance for publication of Titles, (See Table of Contents)..	

Outlots:—

Map of, authenticated.....	410
----------------------------	-----

Packing Houses:—

Power to regulate.....	24
To have license.....	161

Park Commissioners:—

To be appointed by mayor.....	269
Duties, report to council.....	269
To be conservators of peace.....	270
Oath, bond.....	270

Pawnshops:—	
.....	273
Pawnbrokers:—	
Power to license.....	20
To be licensed, defined.....	273
To keep record, not to deal with minors.....	274
Peddlers:—	
Power to license, tax, regulate and prohibit.....	20
To be licensed, exceptions.....	278
License, how obtained, terms.....	278
Penalties:—	
See fines and penalties.....	174
Pigeon Hole:—	
Pool tables, license of.....	20-133
Pin Alley:—	
License of	20-133
Physicians:—..	
To make and certify registry of death.....	148
To report contagious diseases.....	211
Register and report births.....	212
Plats:—	
Of additions to city.....	80
To be approved by City Council (See maps.).....	
Plumbers:—	
License, who may obtain.....	65-283
Board of examiners.....	281
Plumbing inspector, duties.....	285
Plumbing regulations.....	283
Bond required, conditions of bond.....	285
Permit required to make connections with water works.....	301
Excavations in streets, etc., paving material, etc., kept separate, street to be kept in repair.....	301
Pipe, lead, galvanized or calaminated iron to be used only.....	302
Violation of ordinance, penalty.....	302
Police:—	
Power to regulate.....	23
Department, how constituted.....	303
Mayor head of, to establish police regulations.....	303
Special, how appointed.....	304
City marshal, duties, monthly report.....	304
Policemen, powers and duties of, daily report to marshal.....	305
May enter building by force and make arrests.....	306
Duties of, not to engage in business that may interfere, nor ab- sent themselves without permission.....	306

Police—Continued.

Marshal to keep an office, require policemen to report.....	307
To report to and render assistance to marshal.....	307
Guilty of neglect of duty, etc., penalty.....	307
Penalty for resisting an officer.....	307
Persons must assist police when called on.....	308
Falsely representing police.....	308
Hackmen, etc., to obey policeman at depot, etc.....	308

Police Magistrate:—

City Council may regulate number of.....	38
Term of police magistrate and justice of the peace are the same.....	267

Police Matron:—

.....	303
-------	-----

Popcorn Stands:—

.....	309
-------	-----

Porches:—

And awnings, power to regulate.....	17
Regulation of	340

Pounds:—

Power to provide.....	24
Ordinance providing for.....	135

Printing and Stationery:—

To be furnished by lowest bidder.....	26
---------------------------------------	----

Publication:—

Of ordinances.....	27
--------------------	----

Public Buildings:—

Power to provide for the erection of and care of.....	25-81
Destruction or injury of, penalty.....	247

Public Improvement Inspector:—

.....	265
-------	-----

Public Landings:—

Power to erect and keep in repair.....	19
----------------------------------------	----

Public Library:—

See Library.

Public Places:—

Power to regulate.....	19
------------------------	----

Public Squares and Parks:—

Power to establish, improve and vacate.....	16
Ordinance concerning.....	269
Garnsey Square.....	270
Stephenson Square.....	270
Spencer Square.....	270

Public Squares and Parks—Continued.

Reservoir Park.....	271
Long View Park.....	271
Plays and games prohibited in penalty.....	272
Tramping on grass, injury to trees, etc., penalty.....	272
Turning in animals, penalty.....	272

Quarantine:—

See health.....	201
Expense of quarantine	204

Quorum:—

See City Council.....	
-----------------------	--

Railroads:—

City may require to be fenced.....	19
Liability to owner of stock, to regulate speed of cars.....	18
May require flagmen at crossings.....	18
To conform to grade, to make and keep in repair ditches, etc.,	18
No power to grant streets for except on petition.....	25
Ordinance regulating.....	310
Speed of trains, not to obstruct streets, exception.....	310
Bell to be rung, use of whistle.....	310
Escape of steam prohibited, proviso.....	311
Engineers and conductors to have copy hereof, penalty.....	311
Gates, guards or other protection.....	311
Penalty.....	312
Construction under supervision of mayor and street superintend- ent, maintenance.....	312
Maintaining sewers under streets.....	312
Penalty	313
Gates.....	313
Chicago & Rock Island.....	411-413
Rock Island & Peoria.....	418-421-422-426
Rockford, Rock Island & St. Louis.....	455-458
Same and Coal Valley Mining Company.....	459
Peoria & Rock Island.....	427-428
Coal Valley Mining Company	459-461
St. Louis, Rock Island & Chicago.....	462
Rockford, Rock Island & St. Louis, Rock Island & Chicago	364-455-464
Chicago, Burlington & Quincy, 468-469-470-472-473-475-476-477-478-479	429
Use of roundhouses.....	429
Rock Island Plow Company.....	430-493-497
Rock Island & Peoria Railway Company	331-332-333-434-437-441-448-449-452-453
Chicago, Rock Island & Pacific Railway Company.....	414-416
St. Louis, Rock Island & Chicago, Chicago, Burlington & Quincy	464-468
Davenport & Rock Island Bridge, Railway & Terminal Co....	480

Railroads—Continued.

Rock Island & Eastern Illinois Railroad Company.....	484-487-490
Davenport, Rock Island & Northwestern Railway.....	502
Lewis Roofing Company.....	495
H. D. Mack track.....	496

Railroads, Street:—

Power to permit, regulate or prohibit.....	18
Permission not to be longer than twenty years.....	18
Provisions of state law concerning.....	25

Records:—

Of City officers may be inspected by mayor.....	4
City Council to keep journal.....	9
Of ordinances to be kept.....	34
Rules of order of council.....	xxx

Reporter:—

.....	158
-------	-----

Riot:—

.....	68
-------	----

Runners:—

Power to license, regulate, tax and restrain.....	20
To have license, term and price of.....	314
Not to use deceit or create disturbance.....	314
To obey police and wear badge, penalty.....	314

Salaries:—

Compensation of officers to be fixed by ordinance.....	36
Ordinance fixing salaries of city officers and employes.....	315

Saloons:—

See licenses, liquors.....	319
----------------------------	-----

Scaffolds:—

To be safely and properly built.....	241
--------------------------------------	-----

Scales:—

See weighers and measurers.....	384
---------------------------------	-----

Scavengers:—

To be appointed, duties prescribed.....	325
Privy vaults, etc., to be cleaned by owner on notice.....	326
Owner not permit contents to be disturbed without permission.....	327
To report to commissioner of health, penalty for violation.....	327
Compensation of scavengers.....	327

Seal:—

Of board of health.....	206
Clerk to be keeper of	34
Corporate seal established, clerk to keep and use.....	164

Sewerage:—

Power to regulate.....	17
Ordinance to provide for a general system of.....	328
Private sewers.....	331-504-536
Concerning connections with sewer.....	332

Seventh Avenue Boulevard:—

Control of.....	272
-----------------	-----

Shoe Shining Stands:—

.....	333
-------	-----

Shows:—

Power to license.....	20
To be licensed, rates of license.....	131
Licensee to keep good order, mayor may refuse or revoke.....	132

Shooting Parks:—

To be licensed.....	133
---------------------	-----

Sidewalks:—

Power to establish, improve and regulate.....	17
Power to regulate traffic on.....	17
Obstruction with team	240
Construction of.....	334
Width for sidewalks and shadetrees.....	334
Location of gutters, shade trees.....	335
How and of what to be constructed.....	335
To be laid at grade.....	337
Ordinance for construction of, what to contain.....	337
Proceedings to be in conformity with the general laws.....	337
Areas under, not to be made or occupied without permit, conditions.....	337
Construction of vaults under walks subject to supervision of street superintendent.....	338
Opening in walk to be covered.....	338
Injury to walk to be repaired at once.....	338
Hitching posts, awnings	339
Duty of officers to notify owners and authorities of defects....	339
Penalty for violation.....	340
Obstruction, stoops, platforms, railings, cellar doors.....	340
Windows, signs, show case, steps, penalty.....	340
Porches, signs, awnings, goods, barrels, boxes etc., penalty....	340
Goods in front of stores, hitching posts.....	341
Horses, vehicles, hand carts, forbidden on penalty.....	341
Cross walks to be kept free of obstructions, penalty.....	345
To be kept free from snow and ice and all obstructions.....	342
Officers to cause obstructions to be removed.....	342
Riding bicycle on sidewalk.....	250

Slaughter Houses:—

- To be licensed.....151
- Forbidden in the City without permission of the council.....258

Special Meetings:—

- See City Council.....157

Speed:—

- Across bridges.....147
- Of horses on streets, regulated.....240
- Of trains, regulated.....310
- Sprinkler Company.....558

Spirituuous Liquors:—

- See saloon, liquors.....319

Sports:—

- Dangerous sports in streets prohibited240

Stable Manure Boxes:—

-213

Steamboat Warehouse:—

-559

Stove Pipes:—

- How to be adjusted.....188

Street Car Advertising:—

-252

Streets:—

- Powers over, control of.....16-17-25
- Ordinance relating to.....344
- Names of streets.....344
- Names of avenues.....348
- Street names to be affixed at corners.....349
- Houses and lots fronting on streets, etc., to be numbered, how..349
- Maps and record of street numbers to be made and filed in city clerk's office.....350
- Notice to be given when record is filed and owners to number their buildings within thirty days.....350
- Numbers, how to be affixed to buildings.....350
- Owner or occupant to number building, penalty for neglect...351
- Buildings hereafter erected to be numbered, penalty for neglect.351
- To make excavations, forbidden, except.....351
- Application for permit, what to contain.....352
- Clerk to issue permit.....353
- Application for permit to occupy portion of street, what to contain353
- Permit to be issued by mayor.....355
- Penalty for non-compliance with conditions of permit, permit to be revoked.....355

Streets—Continued.

Special permit of City Council, required for laying pipes in improved streets, conditions.....	355
Laying of lead water pipes to be included in improvement of streets, cost thereof, proviso	356
Curbing, where to be set, how to be constructed.....	357
All permanent improvements to be made by special taxation or special assessment.....	357
To be kept free from weeds and grass	357
Obstructing streets and sidewalks, penalty.....	240-242-248-340
Littering streets, penalty.....	249
Grades of.....	401
Vacation of.....	72

Street Railroads:—

Tri-City Railway Company.....	539-545-547
Moline & Rock Island Horse Railroad Company.....	539
Union Street Railway Company	539
Rock Island & Milan Street Railway Company.....	539
Moline & Rock Island Horse Railroad Co., Union Street Railroad Co., and R. I. & Milan Street R'y Co.....	539
Davenport & Rock Island Railway Company.....	539
Moline Central Street Railway Company.....	539

Suits:—

See actions, fines.....	
-------------------------	--

Sunday:—

Processions, music and picnics on, prohibited.....	245
----------------------------------------------------	-----

Taxes:—

Power to levy by ordinance.....	16-48
Manner of collecting, time of paying over.....	49
When tax levied for particular purposes, taxes to be uniform....	49

Telephones and Telephone Poles:—

Ordinances concerning.....	362
Illinois Independent Telephone Company.....	561

Telegraph:—

Telegraph, telephone, electric light and other poles.....	362
Poles, where to be set.....	362
Not to be set out without permission of the City Council.....	362
Wires to be raised or removed upon notice.....	363
Penalty for violation.....	363
Western Union Telegraph Company.....	567
Postal Telegraph Cable Company.....	569

Theatres:—

Power to license and license of.....	20-132
--------------------------------------	--------

Theatres and Public Halls:—

.....	365-131
-------	---------

Tires of Wagons and Other Vehicles:—

Ordinance relating to.....	369
Width of tires.....	369
Wagon to be weighed by public weigher.....	369
Owners shall drive to scales when directed.....	370
Weigher shall weigh free of charge.....	370
Penalty for violation.....	370
Driving wagons tandem, penalty.....	371

Tools and Implements:—

City officers to make and report list of and loss of.....	162
To be branded or marked and safely kept.....	162
To be purchased only on order of mayor.....	162

Town:—

In city, powers of both to be exercised by City Council.....	264
--------------------------------------------------------------	-----

Treasurer:—

Election of.....	10-30
Moneys for fines and licenses to be paid to.....	28
Oath and bond of	31
Duties of, keep separate accounts, give receipts.....	42
Monthly statements, warrants, vouchers, register.....	42
Deposit of funds separate from his own.....	43
Treasurer's annual report, payment on warrants.....	43
Special assessment funds to be kept separate.....	44

Trees:—

Trimming.....	253
City may plant.....	16
Injury to.....	248-272
Location of on streets.....	335

Tri-City Railway Company:—

.....	539
-------	-----

Tuberculosis Sanitarium:—

.....	74
-------	----

Unlawful Gatherings:—

Prohibited.....	242-244
-----------------	---------

Unwholesome:—

Substances, prohibited on streets, grounds or lots.....	207
Meats, food or drink, penalty for keeping or selling.....	150-214

Vacancy:—

In City office, how filled.....	3
By removal.....	3

Vacation:—

Of streets and alleys, power of council.....	16
Of streets and alleys, three-fourths vote required.....	72
Damages, rights of adjoining owners.....	72

Vaccination:—

Commissioner of health to vaccinate without charge.....	201
To give certificates of vaccination and require certificates from physicians.....	201
Required for admission to schools.....	212

Vagabond:—

Power to restrain and punish.....	23
Defined, how punished.....	368

Vaults:—

Power to regulate the use and construction of.....	21
Under sidewalks, not to be used without permit.....	338

Vehicles:—

Name and number to be affixed to licensed.....	168-193-278
Getting on or holding to forbidden.....	240

Veto:—

Of ordinances by mayor, passing over veto.....	10
------------------------------------------------	----

Viaduct:—

Deed to United States, ordinance for.....	581
Bond indemnifying Weyerhaeuser and Cable, ordinance for....	583

Vote:—

Of council, not to be rescinded at special meeting, unless, etc..	9
Two-thirds vote required to sell city or school property.....	9
On ordinance vote to be reconsidered.....	10
Who entitled to vote	11
Tie vote for city office, how determined.....	14

Wagons:—

See tires of, etc.....	369
------------------------	-----

Walls:—

Power to regulate party walls.....	22
Ordinance regulating	186

Wards:—

Power to divide city into, how formed.....	11
City divided into.....	371

Warrants:—

Treasurer to return paid warrants to council.....	42
On treasurer, to be signed by mayor and clerk.....	44
For violation of ordinance.....	28
Arrest without, in certain cases.....	306

Watchmen:—

Power to prescribe duties of.....	23
-----------------------------------	----

Water Works:—

Power to provide supply of water, borrow money therefor.....	78
To prevent waste or pollution of water and injury to water works	79

Water Works—Continued.

Acquiring property for water works, jurisdiction over.....	79
Regulations, rates, taxation, lien for, etc.....	79
Other state laws relating to.....	80-81
Ordinance relating to.....	373
Public hydrants, meddling with, penalty.....	373
Breaking of hydrants, wasting or pollution of water, penalty....	373
Wrongful use of hydrants, obstructing stop-cocks, penalty.....	373
Rules and regulations of water supply	374
Penalty for violation of water regulations.....	377
Water rates to be paid semi-annually in advance.....	377
Water rates established.....	378
Superintendent to have full control over all employes, etc....	382
Printed copy of water works ordinances to be furnished to water takers.....	382
Turning water on before final test.....	383
Leaving water turned on.....	383
Further regulations.....	380
Water works filter, ordinance relating to.....	585
Superintendent to be appointed by council.....	263
Salary of superintendent and employes.....	317

Weapons:—

Carrying concealed, forbidden, penalty.....	246
---------------------------------------------	-----

Weeds:—

.....	253
-------	-----

Weighers and Measurers:—

Power to regulate.....	21
Ordinance relating to.....	384
No person to act as such for hire except appointed or licensed..	384
City weigher and measurer to be appointed.....	384
Other weighers and measurers to be licensed.....	385
Weighers to attend at reasonable times, certificates of weight..	385
Stamped certificates of weight to be furnished licensed weigh- ers.....	385
Articles to be weighed and certificate furnished.....	385
Weighers to be also measurers and give certificates.....	386
Wood, etc., must be measured and certificates furnished, ex- ception	386
Fees of weigher and measurer.....	386
City weigher and measurer to report.....	387
City weigher, compensation.....	386
Licensed weighers, etc., to collect and retain fees.....	387
Certificate of accuracy.....	387
Authorizing officials to weigh.....	387
Weigh scales	586
Penalty for violation.....	388

Wheel Tax:—	
.....	26
Windows:—	
Iron shutters to be furnished in certain cases.....	189
Not to be built over sidewalks.....	340
Wharves:—	
Wharfage, wharfboats, powers over.....	16-19
Wood:—	
Power to regulate measuring of.....	21
To be measured and certificate given.....	386
Wooden Buildings:—	
See fire limits.....	185
Year:—	
Fiscal, defined.....	4-388
Municipal, defined.....	81-388

INDEX TO SPECIAL ORDINANCES.

Annexation of territory	398
Bond to Weyerhaeuser & Cable.....	583
Coal Valley Mining Co.	461
Electric rates	590
Gas and Gas Pipes	398
Hennepin Canal	402
Lewis Roofing Co.	495
Lights:—	
R. I. Electric Light Co.....	402
Merchants' Electric Light Co.	403
Peoples Power Co.....	404, 406, 407, 408
Mack, H. D., switch	496
Map of Outlots	410
Moline Stone Co.	587, 589
Race across R. I. avenue.....	588
Railroads:—	
C. & R. I.	411, 413
C., R. I. & P.....	414, 416, 417
R. I. & P.....	418, 422, 425, 426, 427, 429, 431, 432, 433, 434, 437, 441, 448, 449, 452, 453.
C. B. & Q.....	466, 468, 469, 470, 472, 473, 475, 476, 477, 478, 479
Davenport & R. I. Bridge & Terminal Co.....	480
R. I. & E.....	484, 487, 490
D., R. I. & N. W.....	491, 502
St. L., R. I. & C.....	462
Rockford, R. I. & St. L.....	455, 458, 459, 464, 468

Railroads—Continued.

Rock Island Buggy Co.	498
Rock Island Plow Co.	430, 493, 497, 600
Rock Island Sash and Door Works.	499, 501, 503
Rock Island Sand and Gravel Co.	593
Roundhouses	429
Sewers	504 to 538, 589
Steamboat Warehouse	559
Street Railroads	539 to 588, 601
Sprinkler Co.	558

Telegraph:—

Western Union	567
Postal Telegraph	569

Telephone:—

Ill. Independent	561
Union Electric	571
Central Union	576
Vacation of streets	591
Viaduct	581
Water Works filter	585
Weigh Scales	586

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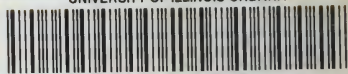
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